

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

JULY 17, 2000

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairman Townsend at 10:00 a.m. on Monday, July 17, 2000, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

James Braun
Lisa Davis Cook
Rozanne King
Kathryn Murphy, Vice-Chair
Gary Priebe
Terrance Townsend, Chair

MEMBERS ABSENT

Randal Giannetto
Darrell Hanson
Rita Venner, Secretary

Randall Giannetto called to say he was unable to attend due to a business conflict.
Darrell Hanson called to say he was unable to attend due to a business conflict.
Rita Venner was unable to attend due to illness.

ADOPTION OF AGENDA

Motion was made by Kathryn Murphy to approve the agenda as presented. Seconded by Rozanne King. Motion carried unanimously.

APPROVED AS PRESENTED

APPROVAL OF MINUTES

Motion was made by Kathryn Murphy to approve the meeting minutes of the June 19, 2000 as presented. Seconded by Lisa Davis Cook. Motion carried unanimously.

APPROVED AS PRESENTED

DIRECTOR'S REPORT

Interim Director Lyle Asell stated Governor Villsack has been elected chair of the Natural Resource Committee of the National Governor's Association. He added that the Governor planned to concentrate on the conservation on private lands issue during this one year appointment. He informed the commission that there was a great deal of debate, taking place, between EPA and Congress over TMDL's. He said that Congress had prohibited the use of funding by EPA to implement the new TMDL procedures. Mr. Asell stated that, sometime in the near future, EPA would be looking at 70 open feed lots in the four-state region.

REGIONAL COLLECTION CENTER PROGRAM – CONTRACT APPROVAL

Liz Christiansen, Division Administrator, Waste Management Assistance Division, presented the following item.

The Department received five (5) applications requesting \$642,901 in financial assistance for consideration during the May 2000 round of funding. Four (4) of the five (5) applicant projects were selected for funding. A total of \$487,151 in grant assistance is recommended.

Fourteen counties will be added to the list of counties provided with on-going hazardous materials education and proper disposal. This brings the total number of counties provided regional collection center service and benefits to 57. Applications included two (2) new regional collection centers, one with a mobile collection vehicle, and two (2) service area expansions using satellite collection facilities.

A description of each recommended project is attached.

BACKGROUND

Regional Collection Centers are permanent facilities that provide hazardous waste management education and on-going access to proper disposal of hazardous materials generated by conditionally exempt small quantity business generators and urban and rural households.

Since 1994, thirteen (13) regional collection centers have been sited across Iowa. Ten (10) of these facilities are currently operating and the remaining RCC is anticipated to be operational in fall 2000. Seven (7) of the regional collection centers currently operate a mobile collection unit and the remaining five (5) anticipate incorporating a mobile collection unit in the near future. Mobile collection units allow the operating agency to host a hazardous waste clean-up event in every town in their service area. By holding these events in each town, local participation significantly increases by decreasing travel. Incorporating the use of mobile collection units is stressed by the Department to all prospective regional collection center applicants.

In Fiscal Year 1999, regional collection centers received hazardous waste from more than 18,523 households and conditionally exempt small quantity generators. Nearly 1.6 million pounds of hazardous wastes was collected for proper management and disposal. Approximately 50 percent of these hazardous materials were managed locally (i.e. latex paint, used oil, and lead-acid batteries were managed locally for recycling or reuse). Hazardous waste not managed locally was collected by various hazardous waste haulers for out of state landfill disposal or fuel blending.

At this time, the Department is requesting Commission approval to enter into contracts with selected applicants subject to applicant receipt of their solid waste permit or permit amendment.

Regional Collection Center Program June 2000– Review Team Recommendations

Listed in order of average score

Application 5:	Bremer County Sanitary Landfill				
	415 E. Bremer Ave.				
	Waverly, Iowa 50677				
Request Amount:	\$40,000		Contact:	Brett Vette (319) 352-4574	
Description:	This application is for satellite support in Grundy county.				
New Counties to be served	Grundy	Cost Share Amount	\$6,000	Additional Households Supported	4873
HHM Diversion Estimate*	10,245 lbs	Cost Share Percentage	13%	Cost to IDNR per Household for Support	\$8.21

*Estimate was calculated based on a 2.4% county participation rate and an average of 87.6 lb per participant average from 1999 RCC data collected.

- Opportunity to expand permanent support to one additional county at lower cost than Toxic Cleanup Day program requires.
- Expansion of education of HHM to CESQG businesses and local households.
- Requested amount is at high end of historical range of cost per household expectations.

Recommendation: Offer \$35,000 funding

Listed in order of average score, p.2

Listed in order of average score, per					
Application 4:	Des Moines Co. RSWC and Great River RWA				
	1818 W. Burlington Ave.				
	Burlington, Iowa 52601				
Request Amount:	\$236,750	Contact:	Hal Morton 319-753-8126 Kjrsten Bobb 319-372-6140		
Description:	This application is for placement of a new Regional Collection Center in Des Moines County for the support of a five county area that is currently not supported with Household Hazardous Materials disposal options.				
Counties to be served	Des Moines, Henry, Lee, Louisa, Van Buren	Cost Amount	Share \$73,750	Households Supported	48,089
HHM Diversion Estimate*	101,102 lb.	Cost Percentage	Share 24%	Cost to IDNR per Household for Support	\$4.92

*Estimate was calculated based on a 2.4% county participation rate and an average of 87.6 lb per participant average from 1999 RCC data collected.

- Opportunity to expand permanent support to five additional counties at lower cost than Toxic Cleanup Day program requires.
- Expansion of education of HHM to CESQG businesses and local households.
- Requested amount is within historical range of cost per household expectations.
- **Recommendation: Offer \$198,750 to fund main facility and mobile unit. Set aside additional \$38,000 to fund satellites in FY2002 if possible.**

Listed in order of average score, p.3

Application 3:	Metro Waste Authority				
	521 E. Locust St.				
	Des Moines, IA 50309				

Request Amount:	\$166,201	Contact:	Tom Hadden 515-244-0021		
Description:	This is an application for expansion of an existing Regional Collection Center service area and main facility and for the addition of five new satellite facilities in outlying counties (located at a minimum of 30 miles from the main RCC)				
New Counties to be served	Crawford, Carroll, Shelby, Adair	Cost Share Amount	\$323,889	Additional Households Supported	23,678
HHM Diversion Estimate*	49,781 lbs	Cost Share Percentage	35%	Cost to IDNR per Household for Support	\$7.02

*Estimate was calculated based on a 2.4% county participation rate and an average of 87.6 lb per participant average from 1999 RCC data collected.

- Opportunity to expand permanent support to four additional counties at lower cost than Toxic Cleanup Day program requires.
- Expansion of education of HHM to CESQG businesses and local households.
- Expansion of current facility is necessary to continued expansion of program
- Requested amount is within historical range of cost per household expectations.
- **Recommendation: Fund full request**

Listed in order of average score, p.4

Listed in order of average score, 5-1					
Application 2:	Union County Landfill Commission				
	300 N. Pine				
	Creston, IA 50801				
Request Amount:	\$99,950	Contact:	Leslie Bullock Goldsmith 515-782-9419		
Description:	This application is for placement of a new Regional Collection Center in Union County for the support of a three county area that is currently not supported with Household Hazardous Materials disposal options.				
New Counties to be served	Taylor, Union, Adams	Cost Share Amount	\$38,000	Additional Households Supported	9668
HHM Diversion Estimate*	20,326 lbs	Cost Share Percentage	28%	Cost per Household for Support	\$10.34

*Estimate was calculated based on a 2.4% county participation rate and an average of 87.6 lb per participant average from 1999 RCC data collected.

- Opportunity to expand support additional three counties at lower cost than Toxic Cleanup Day program requires.
- Expansion of education of HHM to CESQG businesses and local households.
- Requested amount is on high end of historical range of cost per household expectations. Plans for future expansion including mobile unit and satellite sites are in progress. Current proposal is adequate to support future expansion.
- **Recommendation: Offer \$87,200 funding and work on bulk ordering to reduce initial costs of main facility.**

Listed in order of average score, p.5

Application 1:	Scott Area Solid Waste Management Commission				
	11555 110 th Ave.				
	Davenport, IA 52804				
Request Amount:	\$100,000	Contact:	Kathy Morris		

			(319) 381-1300
Description:	This application is for two satellite sites within Scott county.		
New Counties to be served	none	Cost Share Amount	\$300,000
HHM Diversion Estimate*	unknown lbs	Cost Share Percentage	75%
		Additional Households Supported	0
		Cost to IDNR per Household for Support	NA

*Estimate was calculated based on a 2.4% county participation rate and an average of 87.6 lb per participant average from 1999 RCC data collected.

- Opportunity to expand permanent support within county that is currently equipped with RCC support.
- Expansion of education of HHM to CESQG businesses and local households.
- Goals are consistent with Phase II of IDNR RCC program of multi-satellite coverage within counties, however IDNR goals for Phase I have not yet been met.

Recommendation: Do not fund at this time

Liz Christiansen reviewed the program and their goals, and explained that they had recommended approval for the first four but had not recommended the final project as it was an expansion into a county that was already receiving this service.

Motion was made by Rozanne King to approve the four recommended grants for the Regional Collection Center Program. Seconded by James Braun.

Chair-person Terrance Townsend asked if we looked at the utilization of the mobile collection units to make sure that there would be no overlapping of services.

Liz Christiansen stated that it was looked at very closely. She commended Becky Wehrman a staff person for the DNR for the work she has done with solid waste agencies in the effort to get new agencies involved in regional collection center and get new areas funded.

Motion carried unanimously

APPROVED AS PRESENTED.

WASTE TIRE MANAGEMENT COUNTY GRANT PROGRAM – CONTRACT

Liz Christiansen, Division Administrator, Waste Management Assistance Division, presented the following item.

Commission Approval Requested

The Department has accepted and reviewed applications for fiscal year 2001 funds that are currently available through Chapter 215 "Waste Tire Management County Grant Program." In this annual grant round 38 applications were received, representing a total of 84 counties (12 regional applications representing multiple counties were received). Applicants requested a total of \$1,460,000; a total of \$980,000 is available for allocation. Of these applications the Department has recommended 24 applicants (representing 70 counties) for receipt of all of the available grant funds.

A listing of all grant applicants recommended by the Department for award is provided to the Commission for their information. The Commission is also requested to approve contracts for twelve (12) recommended applicants that are in excess of \$25,000.

County Grant Program Summary

The Iowa General Assembly adopted comprehensive waste tire management legislation, HF 2433, during the 1996 Session. One component of HF2433 is a grant program for counties, designed to promote the proper management of waste tires at the community level. Administrative rules for the grant program are established under Chapter 215, Waste Tire Management County Grant Program.

The program's grant funding is available to counties on a competitive basis, through an annual grant application process. Grant funding is available for six fiscal years (1997-2002). Grant awards will be allocated to county boards of supervisors, or to designees of each board, for which the Department has approved a grant application. Designees may include public or private entities.

Grants are used for establishing and implementing local public education programs on proper waste tire management. Education programs include information on proper tire maintenance, the hazards of improper disposal, and options for proper tire disposal normally available in the area. The programs also include the hosting of waste tire "amnesty" collection events whereby a designated site(s) within each participating county temporarily allows for the collection of waste tires from the public without a fee. All programs have identified a processor or method of beneficial end use for the waste tires collected through the program.

Since the program's inception in the fall of 1996 the Department has allocated over \$3.7 million to counties. The program has served 96 counties, and has accounted for the proper collection and recycling of over 3.0 million waste tires. Counties have taken initiatives to educate citizens concerning waste tire issues through creating educational programs, brochures, and media campaigns with funds awarded. These initiatives are coordinated with high school driver education classes, local solid waste recycling education programs, and other local government agencies.

Applicant Summary

- 38 applications were received, representing 84 counties
- 12 of the applicants filed "regional" applications, accounting for 60 of the total counties
- Applicants included county boards of supervisors, solid waste associations, environmental health departments, and regional council of governments (COGs)
- \$1,460,000 in grant funds requested
- \$980,000 in grant funds available
- 24 applications approved for funding – representing 70 counties
- 12 applications denied funding

- approved applications may have received less funding than requested due to remaining balances from previous grant awards, or if the department determined the applicant could successfully implement the proposed program with less funding than requested

Review Process

A grant review team consisting of three (3) Department staff reviewed the applicants and scored them individually using a 100-point criterion, as specified in the rules for the program. The team also considered the amount of funds requested by an applicant as compared to the county's total population in making recommendations for funding awards.

The following tables provide a listing of all grant applicants recommended by the Department for funding awards in fiscal year 2001. Recommended recipients of less than \$25,000 are listed in the table shown on the next page.

Applicant (Awards under \$25,000)	County Represented	Grant Award
Adair County Sanitary Landfill Commission	Adair	11,000
Clayton County Conservation Board	Clayton	12,500
Decatur County Board of Supervisors	Decatur	9,000
Howard County Department of Waste Management	Howard	12,000
Madison County Board of Supervisors	Madison	12,500
Marshall County Solid Waste Management	Marshall	12,500
Page County Landfill Association	Page	12,000
Plymouth County Solid Waste Agency	Plymouth	11,000
Rathbun Area Solid Waste Commission	Appanoose	10,500
Warren County Board of Supervisors	Warren	12,500
Wayne County Board of Supervisors	Wayne	7,500
Woodbury County Area Solid Waste Agency	Woodbury	22,500
TOTAL		\$145,500

Applicants that the Department has recommended for funding awards of greater than \$25,000 are listed in the table below:

Applicant (with recommended awards over \$25,000)	County Represented	Recommended Award
Bi-State Regional Solid Waste Commission	Cedar, Clinton, Dubuque, Jackson, Louisa, Muscatine, Scott	\$125,000
Council Bluffs Health Department	Pottawattamie, Mills	32,000
Des Moines County Regional Solid Waste Commission	Des Moines, Henry, Lee	37,500
East Central Iowa Council of Governments	Benton, Iowa, Tama, Johnson, Jones, Linn	90,000
Iowa Northland Regional Council of Governments	Black Hawk, Bremer, Buchanan, Butler, Chickasaw, Grundy	85,000
Metro Waste Authority	Polk	60,000
North Iowa Area Council of Governments	Cerro Gordo, Floyd, Franklin, Hancock, Kossuth, Mitchell, Winnebago, Worth	95,000
Northwest Iowa Planning and Development Commission	Clay, Dickinson, Emmet, Palo Alto, Pochahontas	60,000
Ottumwa/Wapello Solid Waste Commission	Wapello, Davis, Van Buren,	32,500
South Central Iowa Solid Waste Agency	Lucas, Marion, Monroe, Poweshiek	50,000
Union County Landfill Commission	Adams, Ringgold, Taylor, Union	42,500
West Central Iowa Solid Waste Management	Audubon, Boone, Calhoun, Carroll, Crawford, Greene, Guthrie, Ida, Shelby,	125,000
TOTAL		\$834,500

At this time the Commission is requested to approve the contracts for the above recommended applicants of \$25,000 or greater.

Elizabeth Christiansen explained the grant program and their goals. She stated that the funding for this program ends in 2002. She emphasized that there is still a great deal of work to be done in this area. She stated that she had recently toured a site, with Mel Pins of the DNR, that had over a million tires on it.

Terrance Townsend asked about the decision made to deny the 14 applicants rather than to reduce the funding to others.

Mel Pins stated that we try to approve all counties that meet the intent and scope of the program, the fourteen that were denied did not meet the basic intent of the program. These counties are welcome to reapply.

Rozanne King asked if the process or method of beneficial end use varied a great deal.

Mel Pins stated that it is usually three or four different processors around the state.

Rozanne King asked if some of the money paid for the actual transport of the tires to the processors.

Mel Pins stated 1/2 to 2/3 of their money goes to the collection aspects and then the other 1/2 to 1/3 is used to further education initiatives.

Motion was made by Lisa Davis Cook to approve the Waste Tire Management County Grant Program Contracts as presented. Seconded by Rozanne King. Motion carried unanimously.

APPROVED AS PRESENTED

TOXIC CLEANUP DAYS CONTRACTOR SELECTION

Liz Christiansen, Division Administrator, Waste Management Assistance Division, presented the following item.

The Department of Natural Resources is requesting approval for Metro Waste Authority's Regional Collection Center to provide hazardous waste collection and disposal services for Department sponsored Toxic Cleanup Days to be held in Van Buren and Woodbury Counties. The contract amount is not to exceed \$81,797.00 for fall 2000 events. Toxic Cleanup Day host counties are required to provide cost share based upon the number of households in the county.

Background

Toxic Cleanup Days are one day events to provide households and farms a safe and environmentally responsible way to dispose of household hazardous materials. It also provides an opportunity to educate the public about using safer alternatives, buying only what is needed, and safe use, storage, and disposal of household hazardous materials.

Contractor Selection

The Department solicited proposals from 31 hazardous waste firms to provide collection and disposal of the hazardous material collected at the Toxic Cleanup Days. Eight proposals were received. Each was evaluated on a number of criteria such as experience, safety and contingency plans, environmental compliance history, waste disposal hierarchy, use of subcontractors, and cost. Cost was evaluated by a schedule of fees and a cost estimate for a hypothetical event described in the RFP.

Initially Safety-Kleen was selected as the hazardous waste contractor. However before a contract was approved, Safety-Kleen filed for Chapter 11 relief with the United States Bankruptcy Court. Although Safety-Kleen has assured us their Chapter 11 status will not affect customer service, the Department feels there is . The Department gave all the contractors the opportunity to amend their bids or submit a new bid if they had not submitted one previously. We received one new bid and six amendments.

After reviewing the new proposal and the amendments, the review committee selected Metro Waste Authority's Regional Collection Center. The reasons for Metro's selection are as follows:

- ▶ The Department's goal is to expand Regional Collection Centers to service the entire state and eventually replace Toxic Cleanup Days. This contract will help to support the RCCs.
- ▶ Will allow us to fully unitize the mobile units, which the Department has previously invested in.
- ▶ Metro does about 20 mobile events each year, which are very similar to TCD
- ▶ Staff has all the required training
- ▶ Meet DOT regulations to transport waste
- ▶ Has a contract with Clean Harbors for the ultimate disposal of wastes. Clean Harbors was high on our list of possible contractors.
- ▶ Are able to take unknowns
- ▶ The costs are competitive with other firms.
- ▶ Some of the material collected may be reused through their Swap Shop

The contract will be for the fall events only. After the fall events we will evaluate the feasibility of continuing to use the RCC mobile units and issue a new RFP for the spring events.

Toxic Cleanup Days, Fall 2000

Provided for your information is a list of the counties selected to host a Toxic Cleanup Day in the fall of 2000. The Department received two (2) proposals and selected to fund both. The Division has negotiated an agreement for local cost share with each county based on the number of households in the county and the number of previous events it has hosted. The Department will pay the remainder of the disposal costs.

Events selected for Fall 2000

Van Buren County

September 23, 2000

County Engineer's Office

Keosauqua, Iowa

Local share \$1,528.00

Department Share Not to exceed \$12,572.00

Woodbury County

September 16, 2000

Environmental Services Field Office

Sioux City, Iowa

Local share \$25,500.00
Department share Not to exceed \$59,225.00

At this time, the Department is requesting Commission approval to enter into a contract with Metro Waste Authority to provide Toxic Cleanup Day collection and disposal services.

Liz Christiansen explained the program and asked for the Commissions approval for a contract to Metro Waste Authority Regional Collection Center. She stated that they had initially advertised for contractors to which they received a fairly good response, and had selected Safety Klean to fulfill the contract. However Safety Klean filed Chapter 11 before the item could be brought before the Commission for approval, thus creating some concern about their abilities to fulfill the contract terms. They then asked all contractors to amend their bids and submit a new bid. The staff then selected Metro Waste Authority Regional Collection Center, which is a facility that we helped fund several years ago. She stated that it was the desire of the staff to use these regional collection centers as a pilot program for their toxic cleanup days and that this situation provides a good opportunity to do this.

Motion was made by Rozanne King to approve the Toxic Cleanup Day Contractor Selection. Seconded by Gary Priebe. Motion carried unanimously.

APPROVED AS PRESENTED

MONTHLY REPORTS

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Manure Releases Report
5. Enforcement Status Report
6. Contested Case Status Report

RULE MAKING STATUS REPORT

Proposal	Notice to Comm	Notice Publish	ARC	Rules Review Comm	Hearing	Comment Period	Final Summary to Comm	Rules Adopted	Rules Publish	A R C	Rules Review Comm	Rule Effective
1. Ch. 22 – 25 – Air Quality Program Rules	5/15/00	6/14/00	9985A	7/11/00	*7/20/00	*7/28/00	*8/21/00	*8/21/00	*9/20/00		*10/03/00	*10/25/00
2. Ch. 40, 41, 42, 43, 81, 83 – Water Supply, Operator Certification and Environmental Lab Certification	5/15/00	6/14/00	9888A	7/11/00	7/6, 7/7, 7/14, 7/18 7/19/00	*7/26/00	*8/21/00	*8/21/00	*9/20/00		*10/03/00	*10/25/00
3. Ch. 61 – WQ Standards	4/17/00	5/17/00	9839A	6/13/00	6/08, 6/12, 6/15, 6/16/00	6/30/00	*8/21/00	*8/21/00	*9/30/00		*10/09/00	*10/25/00
4. Ch 64 – Wastewater Construction and Operation Permits	7/17/00	*8/09/00		*9/05/00			*11/20/00	*11/20/00	*12/13/00		*1/10/01	*1/17/01
5. Ch. 64 – Wastewater Construction and Operation Permits							7/17/00	*7/17/00	*8/09/00		*9/05/00	*7/21/00
5. Ch. 93 – On-Site Wastewater Treatment State Revolving Fund	6/19/00	*8/09/00		*9/05/00			*11/20/00	*11/20/00	*12/13/00		*1/10/01	*1/17/01

VARIANCE REPORT

Item No.	Facility	Program	Engineer	Subject	Decision	Date
1	Jim Reischi-Cass County	Air Quality		Structures	Denied	06/28/00
2	Monarch Manufacturing Co.-Dallas County	Air Quality		Permit Requirements	Approved	06/20/00
3	Balltown, City of	Wastewater Construction	IIW Engineers and Surveyors	Site Separation	Approved	06/19/00
4	Council Bluffs, City of	Wastewater Construction	E & A Consulting Group	Sewer Grade	Approved	06/08/00
5	Mount Ayr, City of	Wastewater Construction	Howard R. Green Co.	Directional Boring, Sewer Slope	Approved	06/15/00
6	North English, City of	Wastewater Construction	Hart-Frederick Consultants	Sewer Grade	Approved	06/08/00
7	Tripoli, City of	Wastewater Construction	Fox Engineering	Pump Clogging Protection	Approved	06/13/00
8	Weinrich Truck Line, Inc.-Plymouth County	Wastewater Construction	DeWild Grant & Reckert Associates	Site Separation	Approved	06/12/00
9	Iowa DOT-Beaver Creek-Relocated Hwy 20-Hardin County	Flood Plain		Pecent Length Reduction	Approved	06/01/00

10	Rockingham-Lunex Company-Pleasant Valley	Wastewater Operation		Monitoring Frequency	Approved	06/15/00
11	Gabeline Trucking-Morning Sun	Watersupply Construction	Van Winkle-Jacob Engineering	Construction Materials	Approved	06/05/00
12	Humboldt County Conservation	Watersupply Construction	Kuehl & Payer, Ltd.	Construction Materials	Approved	06/05/00
13	Marion Municipal Water Department	Watersupply Construction	Veenstra & Kimm, Inc.	Duplication Requirements	Approved	06/19/00
14	Shawver Well Co., Inc.-Fredericksburg	Watersupply Construction		Construction Materials	Approved	06/19/00

HAZARDOUS SUBSTANCE/EMERGENCY RESPONSE REPORT

During the period June 1, 2000, through June 30, 2000, 88 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Substance					Mode				
	Total Incidents	Agri-chemical	Petroleum Products	Other Chemicals	Transport	Fixed Facility	Pipeline	Railroad	Fire	Other
October	62 (50)	6 (7)	48 (25)	5 (14)	32 (24)	23 (18)	1 (2)	2 (0)	0 (0)	4 (6)
November	64 (56)	10 (7)	38 (35)	15 (7)	26 (25)	30 (28)	1 (2)	3 (0)	1 (0)	3 (1)
December	67 (35)	10 (4)	40 (20)	17 (7)	23 (12)	34 (18)	1 (2)	4 (0)	0 (0)	5 (3)
January	42 (39)	4 (0)	28 (18)	9 (8)	13 (7)	25 (30)	1 (0)	0 (0)	0 (0)	3 (2)
February	64 (54)	2 (3)	32 (28)	30 (9)	14 (22)	47 (29)	0 (1)	0 (0)	1 (0)	2 (2)
March	96 (56)	20 (10)	64 (33)	12 (5)	43 (24)	45 (24)	2 (1)	0 (0)	0 (0)	6 (7)
April	112 (81)	39 (23)	42 (37)	31 (8)	38 (40)	63 (36)	0 (1)	0 (0)	3 (0)	8 (4)
May	97 (88)	25 (33)	59 (42)	13 (5)	38 (47)	53 (32)	0 (3)	2 (0)	0 (0)	4 (6)
June	88 (79)	10 (20)	57 (46)	21 (2)	24 (37)	57 (37)	1 (3)	0 (0)	0 (0)	6 (2)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	692 (538)	126 (107)	408 (284)	153 (65)	251 (238)	377 (252)	7 (15)	11 (0)	5 (0)	41 (33)

(numbers in parentheses for same period last

year)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
8	12	16	10	24	18

MANURE RELEASES REPORT

During the period June 1, 2000, through June 30, 2000, 0 reports of manure releases were forwarded to the central office. A

general summary and count by field office is presented below.

Total Incidents	Month	Feedlot	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
6 (0)	October	0 (0)	3 (0)	2 (0)	1 (0)	6 (0)	0 (0)	0 (0)	0 (0)	2 (0)
4 (0)	November	0 (0)	2 (0)	1 (0)	1 (0)	3 (0)	1 (0)	0 (0)	0 (0)	0 (0)
2 (0)	December	0 (0)	1 (0)	1 (0)	0 (0)	1 (0)	1 (0)	0 (0)	0 (0)	0 (0)
0 (0)	January	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
1 (0)	February	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
0 (0)	March	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
1 (0)	April	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)	0 (0)	0 (0)	0 (0)	0 (0)
1 (0)	May	0 (0)	1 (0)	0 (0)	0 (0)	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)
0 (0)	June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
0 (0)	July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
0 (0)	August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
0 (0)	September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
15 (0)	Total	0 (0)	8 (0)	4 (0)	0 (0)	11 (0)	3 (0)	0 (0)	0 (0)	3 (0)

(numbers in parentheses for the same

period last year)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
0	0	0	0	0	0

ENFORCEMENT STATUS REPORT

The following new enforcement actions were taken last month:

Name, Location, & Field Office #	Program	Alleged Violation	Action	Date
L & S Ag Center, Worthington (1)	Wastewater	Prohibited Discharge; Water Quality Violations; General Criteria	Order/Penalty \$3,000	6/02/00
Churdan Feeder Pig, Inc., Somers (4)	Animal Feeding Operation	Freeboard; Failure to Empty Discontinued Facility	Order/Penalty \$3,000	6/02/00
Featherlite, Inc., Cresco (1)	Air Quality	Construction Without Permit	Order/Penalty \$8,000	6/02/00
Exide Corporation, Manchester (1)	Air Quality	Other: Failure to Report Hazardous Condition and Failure to Maintain Emission Control Equipment	Order/Penalty \$10,000	6/02/00
Godbersen-Smith Construction Co. d/b/a GOMACO Corp., Ida Grove (3)	Air Quality	Construction Without Permit	Order/Penalty \$10,000	6/02/00
Quality Mat Co., Inc. Waterloo (1)	Air Quality	Operation Without Permit	Order/Penalty \$8,500	6/02/00
Lifeline Emergency Vehicles, Inc., Sumner (1)	Air Quality	Construction Without Permit	Consent Amendment	6/02/00
Boondocks Truck Haven, Williams (2)	Drinking Water	Monitoring/Reporting – Bacteria, Nitrate; MCL – Bacteria; Public Notice	Order/Penalty \$2,750	6/02/00
Lincoln, City of (5)	Wastewater	Prohibited Discharge; Municipal Improvement Plan	Order	6/02/00
Malvern, City of (4)	Wastewater	Compliance Schedule; Municipal Improvement Plan	Order/Penalty \$5,000	6/02/00
Bettendorf, City of (6)	Wastewater	Operational Violations; Prohibited Discharge	Order/Penalty \$1,000	6/02/00
Millersburg, City of (6)	Drinking Water	Monitoring/Reporting – Organics; Public Notice	Order/Penalty \$3,000	6/02/00
Paul Arneson, Ellsworth (2)	Animal Feeding Operation	Uncertified Applicator	Order/Penalty \$1,000	6/13/00
Plantation Village Mobile Home Park, Burlington (6)	Wastewater	Operation Without Permit; Monitoring/Reporting	Consent Amendment	6/13/00
Speltz Elevator, Inc. Worth Co. (2)	Wastewater	Prohibited Discharge	Order/Penalty \$3,000	6/12/00
Dan Witt, Clinton Co. (6)	Animal Feeding Operation	Prohibited Discharge – Confinement, Open Feedlot; Water Quality Violations – General Criteria	Order/Penalty \$3,000	6/13/00
Iowa Mold Tooling Co., Inc. Garner (2)	Air Quality	Operation Without Permit	Consent Order \$10,000	6/12/00
Fibred-Iowa, Inc., Iowa Falls (2)	Air Quality	Construction Without Permit	Order/Penalty Recission	6/12/00
Kathy's Korner,	Drinking	MCL – Bacteria; Monitoring/Reporting	Order	6/20/00

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Dewar (1)	Water	– Bacteria			
Country Terrace Mobile Home Park, Ames (5)	Drinking Water	Construction Monitoring/Reporting; Radioactivity; MCL – Radioactivity; Public Notice	Without Permit; Bacteria, Bacteria,	Consent Order \$5,000	6/26/00
Country Terrace Mobile Home Park, Ames (5)	Wastewater	Monitoring/Reporting; Schedule; Discharge Limits; Operational Violations; Certified Operator	Compliance	Consent Order \$5,000	6/26/00
Wunschel Oil Co.; Vernus and Jaquelyn Wunschel, Ida Grove (3)	Hazardous Condition	Site Access; Other		Referred to AG	6/19/00
East Peru, City of (5)	Wastewater	Prohibited Discharge		Order	6/27/00
Crestview Mobile Home Park, Ames (5)	Wastewater	Discharge Limits		Order/Penalty \$10,000	6/27/00
Makada Homeowners Assoc., Iowa City (6)	Drinking Water	Monitoring/Reporting – Nitrate; Public Notice		Order/Penalty \$500	6/27/00
Thomas Kronlage Linn Co. (1)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Water Quality Violations – General Criteria		Order/Penalty \$3,000	6/27/00
R & R Ranch, Clarke Co. (5)	Wastewater	Monitoring/Reporting; Operational Violations; Certified Operator		Order/Penalty \$10,000	6/27/00
Prairie Village Mobile Home Park, Booneville (5)	Drinking Water	Monitoring/Reporting; Public Notice		Order/Penalty \$250	6/27/00
Larrabee, City of (3)	Drinking Water	Monitoring/Reporting		Order/Penalty \$250	6/27/00
Coralville Lake Terrace Assoc., Johnson Co. (6)	Drinking Water	Monitoring/Reporting – Nitrate, Other Inorganics		Order/Penalty \$1,500	6/27/00
Barry Smith, Delaware Co. (1)	Air Quality Solid Waste	Open Burning; Illegal Disposal		Order/Penalty \$2,000	6/27/00
Bode, City of (2)	Air Quality; Solid Waste	Open Burning; Illegal Disposal		Order/Penalty \$500	6/27/00
BTR Antivibration Systems, Inc. d/b/a BTR Sealing Systems North America, Keokuk (6)	Air Quality	Construction Monitoring/Reporting	Without Permit;	Order/Penalty \$10,000	6/27/00
John Morrell & Co. d/b/a Curly's Foods, Inc., Sioux City (3)	Air Quality	Construction Without Permit		Consent Amendment	6/27/00
Winnebago County (2)	Air Quality	Open Burning		Order/Penalty \$2,000	6/27/00
Case Corporation, Burlington (6)	Air Quality	Construction Without Permit		Consent Amendment	6/27/00
Robert Watson, Griswold (4)	Underground Tank	Closure Investigation		Order/Penalty	6/27/00

ADMINISTRATIVE PENALTY REPORT

The following new enforcement actions were taken last month:

Name, Location, and Field Office #	Program	Alleged Violation	Action	Date
L & S Ag Center, Worthington (1)	Wastewater	Prohibited Discharge; Water Quality Violations; General Criteria	Order/Penalty \$3,000	6/02/00
Churdan Feeder Pig, Inc., Somers (4)	Animal Feeding Operation	Freeboard; Failure to Empty Discontinued Facility	Order/Penalty \$3,000	6/02/00
Featherlite, Inc., Cresco (1)	Air Quality	Construction Without Permit	Order/Penalty \$8,000	6/02/00
Exide Corporation, Manchester (1)	Air Quality	Other: Failure to Report Hazardous Condition and Failure to Maintain Emission Control Equipment	Order/Penalty \$10,000	6/02/00
Godbersen-Smith Construction Co. d/b/a GOMACO Corp., Ida Grove (3)	Air Quality	Construction Without Permit	Order/Penalty \$10,000	6/02/00
Quality Mat Co., Inc. Waterloo (1)	Air Quality	Operation Without Permit	Order/Penalty \$8,500	6/02/00
Lifeline Emergency Vehicles, Inc., Sumner (1)	Air Quality	Construction Without Permit	Consent Amendment	6/02/00
Boondocks Truck Haven, Williams (2)	Drinking Water	Monitoring/Reporting – Bacteria, Nitrate; MCL – Bacteria; Public Notice	Order/Penalty \$2,750	6/02/00
Lincoln, City of (5)	Wastewater	Prohibited Discharge; Municipal Improvement Plan	Order	6/02/00
Malvern, City of (4)	Wastewater	Compliance Schedule; Municipal Improvement Plan	Order/Penalty \$5,000	6/02/00
Bettendorf, City of (6)	Wastewater	Operational Violations; Prohibited Discharge	Order/Penalty \$1,000	6/02/00
Millersburg, City of (6)	Drinking Water	Monitoring/Reporting – Organics; Public Notice	Order/Penalty \$3,000	6/02/00
Paul Arneson, Ellsworth (2)	Animal Feeding Operation	Uncertified Applicator	Order/Penalty \$1,000	6/13/00
Plantation Village Mobile Home Park, Burlington (6)	Wastewater	Operation Without Permit; Monitoring/ Reporting	Consent Amendment	6/13/00
Speltz Elevator, Inc. Worth Co. (2)	Wastewater	Prohibited Discharge	Order/Penalty \$3,000	6/12/00
Dan Witt, Clinton Co. (6)	Animal Feeding Operation	Prohibited Discharge – Confinement, Open Feedlot; Water Quality Violations – General Criteria	Order/Penalty \$3,000	6/13/00
Iowa Mold Tooling Co., Inc. Garner (2)	Air Quality	Operation Without Permit	Consent Order \$10,000	6/12/00
Fibred-Iowa, Inc., Iowa Falls (2)	Air Quality	Construction Without Permit	Order/Penalty Recission	6/12/00
Kathy's Korner,	Drinking Water	MCL – Bacteria;	Order	6/20/00

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Dewar (1)		Monitoring/Reporting – Bacteria			
Country Terrace Mobile Home Park, Ames (5)	Drinking Water	Construction Without Permit; Monitoring/Reporting – Bacteria, Radioactivity; MCL – Bacteria, Radioactivity; Public Notice		Consent Order \$5,000	6/26/00
Country Terrace Mobile Home Park, Ames (5)	Wastewater	Monitoring/Reporting; Compliance Schedule; Discharge Limits; Operational Violations; Certified Operator		Consent Order \$5,000	6/26/00
Wunschel Oil Co.; Vernus and Jaquelyn Wunschel, Ida Grove (3)	Hazardous Condition	Site Access; Other		Referred to AG	6/19/00
East Peru, City of (5)	Wastewater	Prohibited Discharge		Order	6/27/00
Crestview Mobile Home Park, Ames (5)	Wastewater	Discharge Limits		Order/Penalty \$10,000	6/27/00
Makada Homeowners Assoc., Iowa City (6)	Drinking Water	Monitoring/Reporting – Nitrate; Public Notice		Order/Penalty \$500	6/27/00
Thomas Kronlage Linn Co. (1)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Water Quality Violations – General Criteria		Order/Penalty \$3,000	6/27/00
R & R Ranch, Clarke Co. (5)	Wastewater	Monitoring/Reporting; Operational Violations; Certified Operator		Order/Penalty \$10,000	6/27/00
Prairie Village Mobile Home Park, Booneville (5)	Drinking Water	Monitoring/Reporting; Notice	Public	Order/Penalty \$250	6/27/00
Larrabee, City of (3)	Drinking Water	Monitoring/Reporting		Order/Penalty \$250	6/27/00
Coralville Lake Terrace Assoc., Johnson Co. (6)	Drinking Water	Monitoring/Reporting – Nitrate, Other Inorganics		Order/Penalty \$1,500	6/27/00
Barry Smith, Delaware Co. (1)	Air Quality Solid Waste	Open Burning; Illegal Disposal		Order/Penalty \$2,000	6/27/00
Bode, City of (2)	Air Quality; Solid Waste	Open Burning; Illegal Disposal		Order/Penalty \$500	6/27/00
BTR Antivibration Systems, Inc. d/b/a BTR Sealing Systems North America, Keokuk (6)	Air Quality	Construction Without Permit; Monitoring/Reporting		Order/Penalty \$10,000	6/27/00
John Morrell & Co. d/b/a Curly’s Foods, Inc., Sioux City (3)	Air Quality	Construction Without Permit		Consent Amendment	6/27/00
Winnebago County (2)	Air Quality	Open Burning		Order/Penalty \$2,000	6/27/00
Case Corporation, Burlington (6)	Air Quality	Construction Without Permit		Consent Amendment	6/27/00
Robert Watson, Griswold (4)	Underground Tank	Closure Investigation		Order/Penalty	6/27/00

ATTORNEY GENERAL REFERRALS REPORT

E00Jul-17

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
Keith Owens and Howard Maurer (Wilton)	UT	3,100	1-01-96
Ronald Slocum; Tammy Lynn Determan (Marshall Co.)	SW	10,000	5-24-97
* Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	8,930	6-05-97
Sale-R-Villa Const., Inc. (Perry)	AQ	7,000	4-28-98
Larry Cope, Susan E. Cope, Bill VanPelt (Carlisle)	WW	1,500	5-05-98
Albert Fleming (Clayton Co.)	FP	2,000	9-06-98
Leland DeWitt (Louisa Co.)	AQ/SW	3,000	11-21-98
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
* Home Asbestos & Lead Abatement Services (Johnston)	AQ	1,150	6-15-99
* Orrie's Supper Club, Inc. (Hudson)	WS	390	6-01-99
Charlie's Supper Club (Algona)	WS	100	7-01-99
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	7-26-99
Capitol Oil Co. (Oxford)	UT	6,560	10-09-99
# Gary Frana (Winnebago Co.)	AFO	3,000	10-13-99
* Randy Foth d/b/a Foth Lumber Co. (Livermore)	AQ	1,000	11-01-99
* Robert Simon (Dubuque Co.)	AQ/SW	2,000	11-01-99
* Hidden Valley Mobile Home Park (Washington)	WW	200	12-12-99
* Minifarm Acres, Inc. (Cedar Co.)	WS	375	1-29-99
James Harter (Fairfield)	WW	1,800	1-29-00
Dennis Sharkey, Sr.; Dennis Sharkey, Jr. (Dubuque Co.)	AQ/SW	2,250	2-11-00
Dorchester Supper Club (Dorchester)	WS	100	3-08-00
10 th Hole Food & Spirits (Calamus)	WS	1,000	3-14-00
Jerry L. Roney (Huxley)	UT	2,000	3-25-00
Joe Denemark d/b/a Walnut Acres Campground (Monticello)	WS	1,000	4-15-00
D/S Land Company, L.C. d/b/a The Outer Edge (Mason City)	WS	300	4-25-00
* Ben Haven Mobile Home Park	WS	250	7-01-00
* Steven Reimers (Schaller)	AQ/SW	1,855	7-01-00
Kenny Habben (Pioneer)	AQ	5,000	5-05-00
Plain Salvage Inc. (Sac City)	AQ/SW	10,000	5-12-00
Weber Construction, Inc. (Cascade)	AQ	4,000	5-26-00
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000	5-26-00
* Mount Joy Mobile Home Park (Davenport)	WW	1,000	5-30-00
Steve Friesth (Webster Co.)	AQ/SW	4,000	6-05-00
The Barn (Sherrill)	WS	1,000	6-06-00
Country Hills Water Corporation (Peosta)	WS	500	6-12-00
Martin Marietta Materials, Inc. (Ames)	AQ	5,000	6-12-00
Don Casterline; Myron Casterline (Van Wert)	UT	2,000	6-14-00
Wendy Oaks Mobile Home Park (Cedar Rapids)	WS	1,500	6-20-00
* Scott Paulson (Forest City)	AQ/SW	250	7-01-00
* Holland Contracting Corp. (Forest City)	AQ	1,500	7-01-00
* R.V. Hopkins, Inc. (Davenport)	AQ	5,700	7-16-00
Western Iowa Limestone, Inc. (Logan)	AQ	500	7-14-00
Orange City, City of	WW	3,000	7-24-00
Exide Corporation (Manchester)	AQ	10,000	8-06-00
L & S Ag Center (Worthington)	WW	3,500	8-07-00
Featherlite, Inc. (Cresco)	AQ	8,000	8-08-00
Boondocks Truck Haven (Williams)	WS	2,750	8-11-00
Malvern, City of	WW	5,000	8-11-00
# Paul Arneson (Ellsworth)	AFO	1,000	8-16-00
# Dan Witt (Clinton Co.)	AFO	3,000	8-18-00
Speltz Elevator Inc. (Worth Co.)	WW	3,000	8-19-00
Sky Line Inn (Dubuque)	WS	500	----
Plum Enterprises; Clinton Graham (Polk Co.)	SW	1,000	----
Deer Ridge Estates (Ottumwa)	WS	100	----
# Thomas and Jane Kronlage (Coggon)	AFO	3,000	----
Makada Homeowners Association (Iowa City)	WS	500	----
Crestview Mobile Home Park (Ames)	WW	10,000	----

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R & R Ranch (Osceola)	WW	10,000	----
Prairie Village Mobile Home Park (Booneville)	WS	250	----
Larrabee, City of	WS	250	----
Winnebago County Board of Supervisors	AQ	2,000	----
BTR Sealing Systems North America (Keokuk)	AQ	10,000	----
Barry Smith (Delaware Co.)	AQ/SW	2,000	----
Bode, City of	AQ/SW	500	----
Coralville Lake Terrace Assoc. (Johnson Co.)	WS	1,500	----
Robert Watson (Griswold)	UT	1,700	----
TOTAL		203,900	

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	AQ/SW	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
Long Branch Tavern (Monmouth)	WS	100	5-01-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
Long Branch Tavern (Monmouth)	WS	200	3-18-97
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800	
Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Edward Bodensteiner (Des Moines)	UT	3,200	3-31-96
Wunschel Oil, et.al. (Battle Creek)	UT	4,400	12-23-96
Tire-Tech Environmental Systems, Inc. (Muscatine)	SW/WW	2,500	
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000	2-16-98
*Ken Frese (Keokuk Co.)	AQ/SW	175	1-09-97
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Russell Barkema d/b/a Barkema Construction (Wright Co.)	AQ/SW	1,000	3-31-98
Action Jack's Paintball Park (Polk Co.)	SW/FP	10,000	11-07-98
#*Harold Unternahrer (Washington Co.)	AFO	700	5-01-99
Hofer's Danceland Ballroom (Walford)	WS	3,200	4-19-97
Hofer's Danceland Ballroom (Walford)	WS	100	4-23-99
Russell Zook d/b/a Haskin's Recycling (Washington Co.)	AQ/SW	5,000	12-19-98
Spillway Supper Club (Harpers Ferry)	WS	100	3-14-99
Phillips Recycling; Jeff Phillips (Story Co.)	WW	1,800	3-06-99
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Jim Walker (Johnson Co.)	AQ/SW	3,000	2-14-99
Iowa Millenium Investors, LLC (Sumner)	UT	4,000	10-12-99
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	10,000	
Peter Orth f/d/b/a Strauss Bros. Conoco (Burlington)	UT	9,400	1-31-00
Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; Clara Lindstadt (Des Moines Co.)	AQ/SW	1,000	7-01-00
Jim Ledenbach d/b/a Paper Recovery Company (Cedar Rapids)	SW	5,000	1-23-00
TOTAL		134,554	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Frank Hulshizer (Benton Co.)	SW	500
Tom Wiseman (Sheffield)	UT	3,500
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	AQ/SW	10,000
Bankston, City of	WS	550
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Titan Wheel International, Inc. (Walcott)	WW	10,000
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
Leonard C. Page (Adams Co.)	SW	3,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000
Clarence, City of	WW	3,000
Dallas County Care Facility (Adel)	WW	2,500
Gary Walker (Montgomery Co.)	AQ/SW	3,000
Lamoni, City of	WW	1,000
Margaret and Gene Palmersheim d/b/a G & M Service Mart (Greeley)	UT	1,500
#Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Richard Sprague (Tripoli)	AQ/SW	5,000
Bellevue Golf Club, Inc. (Bellevue)	WS	300
Cliff's Place, Inc. (Waverly)	WS	1,500
Brittany Estates Addition (Manchester)	WS	4,000
Robert Frees; Elizabeth Mathes (Washington Co.)	SW	1,000
Iowa Waste Systems, Inc.	SW	9,000
Biovance Technologies, Inc. (Oskaloosa)	AQ	4,000
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	5,000
# Austin J. DeCoster (Nursery 8) (Wright Co.)	WW	1,000
Sac City, City of	WW	4,000
Pathway Christian School (Kalona)	WS	500
Wiese Corporation (Perry)	AQ	5,000
West Liberty, City of	WW	5,000
The Legacy Group, L.C. (Des Moines)	WW	10,000
The Elm's Corporation of Linn County (Cedar Rapids)	UT	4,700
Robert Diehl (Clarke Co.)	WW/WS	5,000
Duane Hanson d/b/a Cedar Valley Tire Recycling (Allamakee Co.)	SW	5,000
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	10,000
# Bernadette Ryan (Delaware Co.)	AFO	3,000
Lonnice King (Marion Co.)	AQ/SW	1,600
West Union Cooperative Co. (West Union)	WW	10,000
Country Terrace Mobile Home Court (Boone)	WW	5,000
Country Terrace Mobile Home Court (Boone)	WS	5,000
Dayton, City of	WW	10,000
# Peter Bockenstedt (Dubuque Co.)	AFO	3,000
# Dan Gotto (Dubuque Co.)	AFO	3,000
# Matthew Daly (Dubuque Co.)	AFO	3,000
Westside Park for Mobile Homes (Burlington)	WW	7,000
Woolstock, City of	WW	5,000
Iowa Waste Systems, Inc.	SW	7,500
Gerald and Judith Vens (Scott Co.)	FP	5,000
Snap-On Tools Company (Algona)	AQ	1,500
Hargrave-McEleney, Inc. (Iowa City)	WS	1,000
CGB Printing Co. a/k/a Rock Communications Ltd. (Newton)	AQ	10,000
Affordable Asbestos Removal, Inc.; Jeffrey Intlekofer (Ft. Madison)	AQ	10,000
Muscatine County Sanitary Landfill	SW	10,000
#Eugene P. Reed, Ltd. (Henry Co.)	AFO	1,500
Shine Bros. Inc. (Spencer)	AQ	10,000
Julie Rowe d/b/a Jewell's Food & Spirits (Troy Mills)	WS	1,000
Rollin McAdams d/b/a McAdams Demolition Co. (Davenport)	AQ	3,000
Dave & Theresa Cook d/b/a Curry Environ. Svc.(Burlington)	AQ	10,000
Fernald Water System	WS	10,000

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Brown Bottle Restaurant (Cedar Falls)	WS	7,000
Lorene Logue; Lester Holmes; Todd Holmes (Lucas County)	AQ	4,500
Sac County Golf and Country Club (Wall Lake)	WS	3,000
Tara Hills Country Club (Van Horne)	WS	500
Barilla America Inc. (Ames)	AQ	10,000
Michael Roberts (Page Co.)	AQ	1,500
Osceola, City of	WW	5,000
Rocky Knoll Mobile Home Park (Forest City)	WS	3,000
# Iowa Select Farms, L.P.; AG Waste Consultants (Hamilton Co.)	AFO	3,000
GK Properties, Inc.; Greenwood Hills Estates, L.C. (Dallas Co.)	WW	6,500
Oakview Construction, Inc. (Red Oak)	AQ/SW	2,000
Omaha Cold Storage Terminals, Inc. (Ft. Dodge)	WW	1,500
Edward Degeus (Britt)	AQ	3,000
Fort Dodge, City of	WS	5,000
Aaron Berry (Pottawattamie Co.)	AQ/SW	1,500
# Mark Shipman (Corwith)	AFO	1,000
Pine Creek Par 31 Golf Course (Mason City)	WS	1,250
Bonaparte, City of	AQ/SW	10,000
Dave Thompson (Hancock Co.)	SW	2,000
Wendall Abkes (Butler Co.)	AQ/SW	3,000
Benefit Water District #2 (Boone Co.)	WS	2,500
Minsa Corporation (Red Oak)	WW	10,000
Dennis Severson d/b/a Huxley Dry Cleaners (Huxley)	AQ	4,500
Bruening Rock Products, Inc. (Decorah)	WW	8,000
Minnesota Rubber Company (Mason City)	AQ	3,000
New Virginia Sanitary District (New Virginia)	WW	5,000
Meadowknolls Addition (Linn Co.)	WS	1,500
Bee Rite Tire Disposal; Jerry Yeomens (Marshall Co.)	SW	10,000
Ainsworth, City of	WW	1,000
Hawkeye Leisure Trailers, Limited (Humboldt)	AQ	2,000
Caraustar Paperboard Co. d/b/a Tama Paperboard (Tama)	AQ	1,000
ALMACO, Inc. (Nevada)	AQ	1,000
Delaware County Conservation Board	WS	1,000
LT Tap (Waucoma)	WS	500
Kirk Latta (Wilton)	WS	10,000
IBP, Inc. (Columbus Junction)	SW	1,000
Iowa State University Heating Plant (Ames)	AQ	1,000
Shelby's (Hazelton)	WS	500
Heinz U.S.A. (Muscatine)	AQ	5,000
Dan and Kelley Claar d/b/a Claar Constr. (Council Bluffs)	AQ/SW	500
Iowa Air National Guard – 185 th Fighter Wing (Sioux City)	AQ	1,000
Minnesota Mining and Manufacturing d/b/a 3M (Knoxville)	AQ	1,000
Jet Co. Inc. (Humboldt)	AQ	1,000
Winter Mobile Home Park (New Hampton)	WS	1,000
John Deere Waterloo Works – DDS (Waterloo)	AQ	7,000
Burlington Northern Santa Fe Railroad (Burlington)	AQ	4,000
Alliant Energy Corp. d/b/a Alliant Transportation (Williams)	AQ	10,000
# Leo Pieper (Guthrie Co.)	AFO	2,500
Alta Vista Property Owners Assn. (Ames)	WS	1,000
Top of Iowa Cooperative (Hanlontown)	AQ	3,000
Hagie Manufacturing Company (Clarion)	AQ	1,000
Bettendorf, City of	WW	1,000
Quality Mat Co., Inc. (Waterloo)	AQ	8,500
Ajinomoto USA (Eddyville)	AQ	4,000
Millersburg, City of	WS	3,000
Gomaco Corporation (Ida Grove)	AQ	10,000
TOTAL		491,300

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Plantation Village Mobile Home Park (Burlington)	WS	100
Plantation Village Mobile Home Park (Burlington)	WW	600
Aluminum Company of America (ALCOA) (Riverdale)	AQ	1,500
Pro Cooperative (Pocahontas)	WW	3,000
H & H Trailer Company (Braddyville)	AQ	1,000
Iowa Beef Processors, Inc. (IBP) (Columbus Junction)	AQ	4,500
* Ben Haven Mobile Home Park	WS	50
Coastal Mart, Inc. (5 locations)	UT	3,500
Kenny Kettwig d/b/a North Iowa Pumping (Marble Rock)	AFO	500
* Underwood Motel (Underwood) PAID IN FULL	WS	1,000
Rockwell City, City of	WW	3,500
# Tom Eischen (Kossuth Co.)	AFO	500
McGregor, City of	WS	1,000
John Morrell & Co. d/b/a Curly's Foods (Sioux City)	AQ	1,500
Excel Corporation (Orange City)	WW	10,000
Harold Trask (Wright Co.)	SW	1,000
* Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	100
American Packaging Corp. (Story City)	AQ	6,500
Sylvan Acres (Janesville)	WS	100
Iowa Mold Tooling Co., Inc. (Garner)	AQ	10,000
Norman Klynsmas d/b/a OK One Stop Service (Hospers)	UT	960
* R.V. Hopkins, Inc. (Davenport)	AQ	500
Solar Transport, Inc. (West Des Moines)	UT	1,000
# Vande Haar Dairy Farm (Marion Co.)	AFO	1,000
* Scott Paulson (Forest City)	AQ/SW	250
* Holland Contracting Corp. (Forest City)	AQ	500
Case Corporation (Burlington)	AQ	1,500
TOTAL		55,660

The \$2,157 penalty assessed to Jim Foust (Indianola) has been discharged by Ch. 13 bankruptcy.

The \$2,000 penalty assessed to Fibred-Iowa, Inc. (Iowa Falls) has been rescinded.

Name, Location Region Number	And	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Adrian, Dean Clinton Co. (6)		Animal Feeding Operation	Prohibited Discharge- Open Feedlot; Water Quality Violations- General Criteria	Referred to Attorney General	Referred Petition Filed Trial Date	3/15/99 9/13/99 2/26/01
Affordable Removal, Inc.; Jeffrey Intelkofer Iowa City (6)	Asbestos	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	3/20/00 4/19/00
Ballard, Randy Fayette Co. (1)		Flood Plain	Constructio n Without Permit	Order/Penalty	Referred Petition Filed Trial Date	5/29/96 6/05/98 6/08/00

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DeCoster, Austin J. Sow Unit #11; Nursery Unit #7 Wright Co. (2)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consolidated With Nursery Unit #4 (See Below)	6/20/97 3/20/98
DeCoster, Austin J. Nursery Unit #4 Wright Co. (2) UPDATED	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Trial Date Post Trial Brief Ruling on Petition (\$25,000/Civil) Defendant's Notice of Appeal Defendant's Brief State's Brief Dismissal of Appeal Payment of \$25,000 Civil Penalty	8/18/97 3/20/98 3/16/99 3/30/99 5/28/99 6/24/99 11/01/99 2/04/00 6/15/00 6/29/00
DeCoster, Austin J. Nursery M-1 Lucas Co. (5)	Animal Feeding Operation	Prohibited Discharge	Referred to Attorney General	Referred Consolidated with Nursery M-1 (See Below)	11/16/98 4/24/00
DeCoster, Austin J. Nursery M-1 Lucas Co. (5) UPDATED	Animal Feeding Operation	Prohibited Discharge – Confinement; Failure to Report a Discharge	Referred to Attorney General	Referred Petition Filed Consent Decree (\$125,000/Civil and Injunction)	12/20/99 4/24/00 6/15/00
Enviro Safe Air, Inc. Sioux City (3)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	10/18/99 03/17/00
Grell, Don d/b/a Dodger Enterprises Ft. Dodge (2)	Solid Waste	Illegal Disposal	Judicial Review	Petition Filed State's Answer Defendant's Brief State's Brief Hearing Ruling for State Notice of Appeal	10/19/98 11/17/98 7/23/99 8/24/99 9/09/99 11/18/99 12/07/99
Guardian Industries Corp. DeWitt (6)	Air Quality	Operation Without Permit; Emission Standards; Operational Violations	Referred to Attorney General	Referred	4/17/00
Harbach, Randy d/b/a Randy' Sanitation Delhi (1)	Air Quality Solid Waste	Open Burning Illegal Disposal	Referred to Attorney General	Referred	4/17/00
Hawkins, Ralene d/b/a R.J. Express Salvage and Demolition Burlington (6)	Solid Waste	Illegal Disposal	Order/Penalty	Referred	4/17/00

Henry County Board of Supervisors Henry Co. (6)	Wastewater	Other; Operation Violations	Referred to Attorney General	Referred	2/15/99
Holnam Incorporated Mason City (2)	Air Quality	Excess Emissions	Referred to Attorney General	Referred	3/15/99
Huyser, James; Trust Trucking Lovilia (5)	Underground Tank	Site Assessment	Referred to Attorney General	Referred Petition Filed Dismissed for Lack of Service Bankruptcy Petition Filed	11/21/94 4/18/96 9/20/96 9/20/96
Indian Creek Corp. Jasper Co. (5)	Animal Feeding Operation	Failure to Retain; Freeboard Violations; Failure to Have Approved MMP	Referred to Attorney General	Referred	4/17/00
Iowa Millenium Investors, LLC Des Moines (5)	Underground Tank	Site Assessment	Order/Penalty	Referred	10/18/99
Iowa Select Farms, L.P. Clarke Co. Sow Unit #20 Jernquist Nursery Clarke & Ringgold Co. (4)	Animal Feeding Operation	Prohibited Discharge; Failure to Retain	Referred to Attorney General	Referred	4/17/00
Keokuk Ferro-Sil, Inc. Keokuk (6)	Air Quality	Operation Without Permit	Referred to Attorney General	Referred	5/15/00
Klynsmas, Norman d/b/a OK One Stop Service Hospers UPDATED (3)	Underground Tank	Site Assessment	Order/Penalty	Referred \$960 Admin. Penalty Paid	3/20/00 6/26/00
LaFarge Corporation Davenport (6)	Air Quality	Excess Emissions	Referred to Attorney General	Referred	3/15/99
Larson, Daryl Jones Co. (1)	Animal Feeding Operation	Freeboard Cleanup Costs	Referred to Attorney General	Referred	5/17/99
Ledenbach, Jim d/b/a Paper Recovery Cedar Rapids (1)	Solid Waste	Illegal Disposal	Order/Penalty	Referred	4/17/99

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Lehigh Portland Cement Co. Mason City (2)	Air Quality	Construction Without Permit	Referred to Attorney General	Referred Petition Filed Trial Date	8/17/98 11/05/99 4/09/01
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)	Hazardous Condition	Remedial Action	Order/Penalty	Referred Petition Filed Partial Default Judgment (Injunction)	2/17/92 12/21/92 10/11/94
Mills County Landfill Assn. & Remonot County Landfill Assn. Mills Co. (4)	Solid Waste	DNR Defendant	Defense	Petition Filed Answer Filed Trial Date	11/05/99 11/29/99 10/23/00
Morgan, Ron d/b/a Action Jack's Paintball Park Polk Co. (5)	Solid Waste	Illegal Disposal	Order/Penalty	Referred	2/15/99
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred Petition Filed Application for Temporary Injunction Temporary Injunction	12/15/97 10/02/98 2/04/99 4/19/99
Orth, Peter J. f/d/b/a Strauss Bros. Conoco Burlington (6)	Underground Tank	Site Assessment ; Remedial Action	Order/Penalty	Referred	3/20/00
Phillips, Jeff; Phillips Recycling Story Co. (5)	Wastewater	Stormwater ; Operation Without Permit	Order/Penalty	Referred	8/16/99
Spillway Supper Club Harpers Ferry (1)	Drinking Water	Permit Renewal Fee	Order/Penalty	Referred	6/21/99
Swine Enterprises, Inc. Graphics Tama Co. (5)	Animal Feeding Operation	Manure Management Plan; Manure Over-Application ; Animal Weight Exceedance	Referred to Attorney General	Referred	3/20/00
Village Realty Pottawattamie Co. (4)	Underground Tank	DNR Defendant	Defense	Petition Filed State's Motion to Dismiss Order Granting Partial Dismissal Motion for Summary Judgment Hearing	8/12/98 10/08/98 12/22/98 1/27/00 2/22/00

Ruling Denying Motion for 3/16/00
Summary
Judgment

White, Robert Jeff	Air Quality;	Open		Referred	4/20/98
White, Dave	Solid Waste	Burning;	Order/Penalty	Petition Filed	2/05/99
Dallas Center (5)		Illegal		Dismissed Without Prejudice	9/24/99
		Disposal		Petition Against Dave White Filed	11/15/99
				Answer Filed	12/06/99

Wunschel Oil Co.;				Referred	1/17/95
Vernus Wunschel	Underground		Referred to	Motion for Judgment	8/28/96
and Jaquelyn Wunschel	Tank	Site	Attorney General	Consent Decree (\$6,400/Admin.)	12/13/96
Battle Creek (3)		Assessment		Referred	3/30/98

Wunschel Oil Co.;					
Vernus Wunschel	Hazardous		Referred to		
and Jaquelyn Wunschel	Condition	Site	Attorney General	Referred	6/19/00
Battle Creek (3)		Access;			
NEW		Other			

Zook, Russell d/b/a	Air Quality	Open			
Haskins Recycling	Solid Waste	Burning;	Order/Penalty	Referred	5/17/99
Ainsworth (6)		Illegal			
		Disposal			

CONTESTED CASE REPORT

Date Received	Name of Case	F.O.	Action Appealed	Program	Assigned To	Status
11/03/89	Bridgestone/Fires tone, Inc.	5	Site Registry	HC	Murphy	Hearing continued pending negotiations. Settlement proposed 8/96. Status report requested from land quality bureau 12/1/99.
5/08/90	Texaco Inc./Chemplex Co. Site	6	Site Registry	HW	Murphy	Settlement offer to be renewed 3/00.
5/14/90	Alter Trading Corp. (Council Bluffs)	4	Admin. Order	SW	Tack	Permit issued. District court suit dismissed. Field Office overseeing compliance. Progress reports received. Closure permit amendment #2 issued 4/26/00. Closure certification expected by end of 2000.
6/20/90	Des Moines, City of	5	NPDES Permit Cond.	WW	Hansen	EPD met with City to resolve appeal issues. Follow-up with EPD regarding status-3/97. 12/28/99 – F.O. 5 letter to City regarding resolution of permit issues. 3/6/00 – F.O. 5 met with City concerning permit issues.
7/02/90	Keokuk Savings Bank and Trust; Keokuk Coal Gas Site	6	Site Registry	HW	Murphy	Hearing continued. Status report requested from land quality bureau on 12/1/99.
7/30/90	Key City Coal Gas Site; and Howard Pixler	1	Site Registry	HW	Murphy	Decision appealed (Pixler) Site remediation completed. Status report requested from land quality bureau 12/1/99.
9/25/91	Archer Daniels Midland	6	Admin. Order	SW	Tack	DNR engineers reviewing documents. Closure permit issued 1/10/00.
5/12/92	Paris & Sons, Inc.	1	Site Registry	HC	Wornson	Bankruptcy dismissed. Meeting with prospective buyer to assume liability.
11/16/92	Frank Hulshizer	1	Admin. Order/Penalty	SW	Tack	Settled. Abatement agreement signed 9/21/99. Penalty to be forgiven upon completion of clean-up.
4/05/93	Mapleton, City of	4	WW Operator Certification	WW	Hansen	Under review by EPD. Appeal discussion with EPD staff. 2/28/00 – Letter to City attorney regarding setting for hearing. 3/00 – Dept. reviewing City Engineer's submittal.
7/20/93	Valley Restaurant/Sierp Oil; Mary & Carl Sierp; and Robert Radford (7LTYYS0)	4	Admin. Order	UT	Wornson	Revised Tier 2 approved. CADR due 6/2/00.
7/12/94	Tom Wiseman (8LTP62)	2	Admin. Order/Penalty	UT	Wornson	Tier 1 completed – awaiting receipt.
8/29/94	B and B Tire and	4	Admin.	UT	Wornson	Tier 2 submitted. High risk. CADR due 12/31/99. Penalty to be settled.

	Oil		Order/Penalty			
9/09/94	American Coals Corp., Site 5 (Bussey)	5	Admin. Order/Penalty	SW/AQ	Tack	Consent order sent to parties. Awaiting Dept. of Agriculture resolution.
9/16/94	Wunschel Oil Co.; Vernus Wunschel; Jacquelyn Wunschel; Mark Wunschel (Ida Grove)	3	Admin. Order/Penalty	UT	Wornson	Consent order. SCR received. Revisions to SCR required - overdue. Follow-up letter sent 2/26/96. UST Fund conducting further assessment and free product removal.
9/26/94	James D. Foust	5	Admin. Order/Penalty	SW	Tack	Penalty discharged by Ch. 13 Bankruptcy. Case dismissed by ALJ. Closed.
10/07/94	Titan Wheel International	6	Admin. Order/Penalty	WW	Hansen	Revised BMR report submitted/reviewed by WW Permits. Letter to facility regarding report. 3/2/00 - Letter to attorney regarding setting appeal for hearing. 3/23/00 - Response received from attorney regarding appeal.
1/13/95	Simonsen Industries, Inc.	5	Admin. Order/Penalty	WW	Hansen	2/28/95 - Submittal by facility's engineer regarding land application of sludge. Under review by WW permits staff. Update requested from WW staff. 2/1/00 - Report on compliance requested from FO and WW staff. 2/2/00 - Permit to be issued to facility. 6/29/00 - Status report on permit requested from WW permit staff.
2/23/95	Lehigh Portland Cement	2	Permit Conditions	WW	Hansen	Informal settlement meeting held on 6/96. Facility to provide status report regarding TSS permit limit by 9/20/96. 12/28/99 Dept. letter to facility attorney regarding setting appeal for hearing and also resolution of the appeal. 1/24/00 - Letter from WW attorney concerning settlement. Additional time requested to resolve issues raised by appeal. 2/22/00 Dept. response to attorney regarding hearing. 2/25/00 - Sent to DIA to be set for hearing. 3/8/00 - Hearing set for 5/19/00. Petition filed with DIA 3/28/00. 4/17/00 - Answer filed with DIA. 5/11/00 - Settled. New permit to be issued by 9/1/00 following submittal of further information by company and issuance of draft permit. Hearing continued to 9/25/00.
3/23/95	American Coals Corp.	5	Admin. Order	SW	Tack	Awaiting consent order approval. Awaiting Dept. of Agriculture resolution.
4/13/95	The Weitz Corp.; Barton Solvents, Inc.	5	Admin. Order	HC	Tack	Remediation plan received 5/27/96. 6/9/00 - Initial remedial measures completed. Final treatment system currently being designed.
6/20/95	Toledo, City of	5	Permit Conditions	WW	Hansen	WW permits to negotiate settlement. Status of negotiations requested 1/9/96. Dept. letter to facility's engineer regarding resolving appeal. 1/3/00 - Revised WLA and permit limits sent to facility. 1/26/00 - Dept. letter to WW engineer regarding construction schedule to meet revised permit limits. 2/28/00 - Follow-up letter to City regarding construction schedule. 3/20/00 - Response from City attorney with agreement to submit construction schedule by 4/20/00. 4/27/00 - Discussion with City attorney regarding City's schedule. 6/14/00 - Letter received from attorney requesting meeting to discuss compliance schedule.
6/23/95	Leonard C. Page	4	Admin. Order/Penalty	SW	Tack	Settlement offer pending.
7/03/95	Donald J. Foreman d/b/a D & R Feedlots	3	Admin. Order/Penalty	WW	Hansen	2/1/00 - Report on compliance requested from FO. 2/7/00 - Status report received. Response to FO concerning resolving appeal. 3/28/00 Status report received from F.O.
7/05/95	Boyer Valley Co.	4	Admin. Order/Penalty	WW	Hansen	Informal meeting held for 6/7/96. Response from facility due 6/28/96. Response received from facility 7/96. 3/2/00 - Letter to attorney concerning appeal resolution. 3/17/00 - Letter received from company attorney.
7/10/95	Gilbert Persinger/Smithland Store	3	Admin. Order/Penalty	UT	Wornson	SCR received - rejected. Review progress. Proposed for state lead.
8/01/95	Wilbur McNear d/b/a McNear Oil Co./Charter Oak	4	Admin. Order/Penalty	UT	Wornson	SCR received/rejected. Referral for state lead. Resolve penalty.
9/20/95	FKI Industries, Inc.; Fairfield Aluminum, Inc.	6	Admin. Order	WW/H C	Murphy	Negotiating before filing. Attorneys contacted 2/99.
12/12/95	Vernon Kinsinger; K & K Sanitation	6	Admin. Order/Penalty	AQ/SW	Tack	Clean-up progressing. Working with F.O. #6. Receiving penalty payments.
1/12/96	Clarence, City of	6	Admin. Order/Penalty	WW	Hansen	1/96 - Facility inspected by FO 6. 9/96 letter from facility attorney stating construction completed. 2/1/00 - Status report on compliance requested from FO 6. 2/2/00 - Dept. to send settlement offer to City. City has returned to compliance. 2/28/00 Settlement offer to City attorney. 3/30/00 - Follow-up letter to attorney. 4/21/00 - Contact by new City attorney. City will consider settlement offer at 5/8/00 City Council meeting and respond by 5/20/00.
1/25/96	Hidden Valley Mobile Home Park	6	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
3/11/96	Dallas County Care Facility	5	Admin. Order/Penalty	WW	Hansen	Facility inspected by FO. Now in compliance.

3/14/96	Lamoni, City of	5	Admin. Order	WW	Hansen	12/20/99 Dept. letter with new waste load allocation and ammonia nitrogen limits for treatment facility. 1/26/00 – Letter to facility engineer regarding whether construction schedule needed due to new WLA and new effluent limit and setting appeal for hearing. 2/21/00 – Letter from engineer including compliance schedule in response to FO 5. 3/22/00 – Dept. accepted settlement offer from City engineer. Offer to be finalized in consent order with schedule and penalty. 6/00 – Consent order sent to facility engineer for review.
3/22/96	Mt. Joy Mobile Home Park	6	Admin. Order/Penalty	WW	Hansen	3/25/96 Inspection by FO 6. Facility in compliance. 2/1/00 Status report on compliance requested of FO 6. 2/2/00 – Facility has returned to compliance. 2/24/00 – Settlement offer sent to MHP. 4/5/00 – Follow-up letter to facility regarding settlement. 5/10/00 – Settled. Awaiting penalty payment. 6/26/00 – Dept. letter sent regarding penalty payment.
5/07/96	Lakeview Mobile Home Park	5	Admin. Order/Penalty	WW	Hansen	6/20/96 - informal meeting held. Facility to provide settlement offer by 7/15/96. Settlement offer received from facility - under review. 2.27.99 0 FO contacted regarding appeal resolution.
5/14/96	Gary Lee Walker	4	Admin. Order/Penalty	AQ/SW	Tack	Negotiating before filing.
5/16/96	Grand Laboratories, Inc.	3	Permit Denial	WW	Hansen	Information received and reviewed by EPD. Settlement offer and revised permit sent to facility 7/97. Response received 8/97. Under review by EPD. Facility to provide further response and settlement offer to DNR by 3/15/98. 3/13/98 Dept. received proposal from facility engineer. 3/20/98 Dept. review of proposal completed. 8/98 – Letter to Grand Labs rejecting their proposal. 9/25/98 letter from Grand Labs regarding settlement. Grand Labs to submit new settlement 3/99. 5/99 Grand Labs submitted settlement proposal; under review by WW and WQ staff. 2/29/00 – Response received from WQ engineer. Staff reviewing for decision.
6/07/96	Clow Valve Company	5	Permit Conditions	AQ	Preziosi	Permit issued 8/31/98. Letter sent 6/1/00 requesting assurance that all issues have been addressed. Close file. Settled.
6/10/96	DeCoster Farms of Iowa (19 sites)	2	Admin. Order	AFO	Clark	6/29/00 – Appeal dismissed.
6/10/96	DeCoster Farms of Iowa (5 sites)	2	Permit Denial	WR	Clark	6/29/00 – Appeal dismissed.
8/01/96	DeCoster Farms of Iowa (Nursery Unit 7 - Wright Co.)	2	Permit Denial	AFO	Clark	6/29/00 – Appeal dismissed.
8/01/96	DeCoster Farms of Iowa (Boomsma Egg Site #1)	2	Admin. Order/Penalty	AFO	Clark	6/15/00 - Appellant dismissed request.
8/09/96	Gene and Margaret Palmersheim d/b/a G & M Service Mart 8LTS93	1	Admin. Order/Penalty	UT	Wornson	Tier 2 received. Negotiating penalty. Placed on State lead.
9/24/96	North Star Steel Iowa		Permit Denial	AQ	Preziosi	Permit issued 3/31/97. Letter sent 6/1/00 requesting assurance that all issues have been addressed.
10/11/96	DeCoster Farms of Iowa (96-WW-32).	2	Admin. Order	AFO	Clark	6/15/00 - Appellant dismissal request.
10/17/96	DeCoster Farms of Iowa (Nursery Unit 3 - Wright Co.)	2	Permit Revocation	AFO	Clark	6/15/00 - Settlement status letter to appellant.
10/28/96	Fischer Controls International		Permit Conditions	WW	Hansen	Negotiating before filing.
2/19/97	Cliff's Place, Inc.	1	Admin. Order/Penalty	WS	Hansen	Compliance initiated. 3/31/00 – Appeal to be closed. New owner.
3/20/97	Sylvan Acres	1		WS	Hansen	Compliance initiated. 3/31/00 Dept. settlement offer to water supply. 6/23/00 - \$100 penalty settlement received. Closed.
7/22/97	CIPCO		Construction Permit Conditions	AQ	Preziosi	Letter sent 6/6/00 requesting assurance that all issues have been addressed.
7/22/97	Robert P. Frees; Elizabeth R. Mathes	6	Admin. Order/Penalty	SW	Tack	Settlement reached. Cleanup underway.
8/01/97	Dodger Enterprises Co., Tire Chop Division; Donald Grell	2	Admin. Order	SW	Murphy	Proposed decision 6/26/98. Appeal to EPC. Affirmed 9/21/98. Appealed to District Court. Affirmed 11/8/99. Appealed to Iowa Supreme Court 12/7/99.
8/05/97	Biovance Technologies	5	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
8/08/97	Iowa Waste Systems, Inc.	1	Admin. Order/Penalty	SW	Tack	Settlement reached with Fayette County. Hearing for Iowa Waste Systems held 4/5/00. Proposed decision received 5/14/00. Penalty reduced to \$3,000. Decision was not appealed. Closed.
9/17/97	Keokuk Steel Castings	6	Admin. Order/Penalty	AQ	Brabec	Negotiating before filing.
9/25/97	Iowa Mold Tooling Co., Inc.	2	Admin. Order/Penalty	AQ	Preziosi	Settled. \$10,000 penalty payment received 6/2/00. Closed.
12/12/97	Donald E. Grell; Dodger Enterprises, Tire Chop Division	2	Notice of Intent to Revoke Solid Waste Permit; Denial of Application for New Waste Tire Mgmt. Permit	SW	Murphy	Proposed decision 6/26/98. Appeal to EPC. Affirmed 9/21/98. Appealed to District Court. Affirmed 11/8/99. Appealed to Iowa Supreme Court 12/7/99.

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1/13/98	DeCoster Farms of Iowa (Nursery #8) (Wright Co.)	2	Admin. Order/Penalty	AFO	Clark	6/29/00 - Appeal dismissed.
1/16/98	Pilgrim Heights Camp		NPDES Permit Conditions	WW	Hansen	Negotiating before filing.
1/23/98	Sac City	3	Admin. Order/Penalty	WW	Hansen	Status report received from city's consultant. 2/1/00 – Status report on WW compliance requested from FO 3. 2/28/00 – Settlement offer sent to attorney. 3/28/00 – City attorney letter received. 3/29/00 – Letter to attorney regarding scheduling settlement meeting and setting case for hearing. 4/17/00 – Dept. meeting with City attorney and officials to discuss settlement. 6/28/00 – Sent to DIA to be set for hearing.
1/30/98	Rockwell City	3	Admin. Order/Penalty	WW	Hansen	Meeting on 4/22/98 with city's engineer regarding facility plan. Hearing set for 3/29/00. 2/21/00 – Settlement offer presented to City. 2/28/00 – City's counter offer received. 3/29/00 – Settled. Agreement to be finalized in consent order. 4/28/00 – Consent order sent to City for signatures. 5/11/00 – Consent order signed by mayor and Director. Awaiting penalty payment. 6/13/00 – Penalty payment received. Closed.
3/16/98	Pathway Christian School	6	Admin. Order/Penalty	WS	Hansen	3/1/00 – Status report requested of FO. 3/2/00 – Status report received. 4/28/00 – Letter to WS concerning resolution of appeal.
4/03/98	Cooperative Oil Company; Mickey Berg	2	Admin. Order	UT/WW	Wornson	Compliance complete. Review and close. Monitoring required Spring 2000.
4/27/98	Weise Corporation	5	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
7/01/98	Ag Processing, Inc.	4	Permit Conditions	AQ	Preziosi	Negotiations continue.
7/29/98	Archer Daniels Midland 98-A-507P thru 98-A-515P	6	Permit Provisions	AQ	Preziosi	Settled.
8/18/98	University of Iowa	6	Permit Conditions	WW	Hansen	Settlement offer sent 10/98. Follow-up letter sent 3/22/99. U of I to submit response to Dept. settlement offer by 5/28/99. Information submitted by U of I. Wastewater staff revised permit in response to information received.
9/29/98	Randy Foth d/b/a Foth Lumber Co.	2	Admin. Order/Penalty	AQ	Brabec	Settled. Partial penalty payment received.
10/03/98	Ag Processing, Inc. (Emmetsburg)	4	Permit Exemption Denial	AQ	Preziosi	Settlement close.
10/06/98	M & W Pallett Co.	6	Admin. Order	SW	Tack	6/20/00 Clean-up is near completion. Pallets 95% ground. Dept. assisting in identifying markets for mulch.
10/08/98	West Liberty, City of	6	Admin. Order/Penalty	WW	Hansen	Informal procedures requested. 2/1/00 – Status report requested of FO 6. 2/02/00 – Report received from FO. 2/28/00 – Letter to attorney to schedule meeting resolving appeal. 2/28/00 – Status report concerning I/I work received. 3/24/00 – Meeting scheduled for 4/14/00 to discuss resolving appeal. 4/14/00 – Met with City attorney and officials concerning appeal.
10/09/98	Elm's Corporation of Linn County (8LTX55)	1	Admin. Order/Penalty	UT	Wornson	Compliance initiated. Tanks removed. Tier 2 overdue. Tier 1 submitted 10/14/99. Awaiting review.
10/13/98	The Legacy Group, L.C.; Easter Lakes Estate Site	5	Admin. Order/Penalty	WW	Murphy	6/30/00 – Settled. Amended order issued. Closed.
11/19/98	Jacobs Energy Corporation		Permit Denial	AQ	Preziosi	Negotiating before filing.
11/30/98	Robert Diehl	5	Admin. Order/Penalty	WW/WS	Murphy	Construction permit application received.
12/01/98	Underwood Motel	4	Admin. Order/Penalty	WS	Hansen	Sanitary survey completed by F.O. 4. Public notice posted. 12/29/99 WS to connect to regional water by Spring 2000. 3/27/00 Per regional water motel to be connected third week April. 4/11/00 – Dept. sent settlement offer. 5/2/00 – Settled. First of two installments received for penalty 5/10/00. 6/9/00 – Final penalty payment received. Closed.
12/16/98	Richard Swailes		Permit Denial	FP	Clark	5/18/00 – Notification of imminent transfer to DIA.
12/24/98	Keokuk Steel Castings Co., Inc.	6	Admin. Order/Penalty	AQ	Brabec	Negotiating before filing.
1/04/99	Duane Hanson d/b/a Cedar Valley Tire Recycling	1	Admin. Order/Penalty	SW	Tack	Default judgment entered. Abatement agreement signed. Penalty will be forgiven upon compliance with abatement agreement. Appeal closed by default judgment. Abatement agreement violated. Default judgment recovery to be pursued.
1/13/99	Bernadette Ryan	1	Admin. Order/Penalty	AFO	Clark	Negotiating before filing.
1/20/99	Lonnie King	5	Admin. Order/Penalty	AQ/SW	Tack	Negotiating before filing.
2/05/99	West Union Cooperative Co.	1	Admin. Order/Penalty	WW	Murphy	Settlement proposed 9/99. Further studies 4/00.
2/10/99	Bawden Printing		Permit Conditions	AQ	Preziosi	6/6/00 – Letter sent requesting assurance that all issues have been addressed.
3/04/99	Dayton, City of	2	Admin. Order/Penalty	WW	Murphy	4/00 – City progressing on facility improvements. Will monitor for progress.
3/08/99	Peter Bockenstedt	1	Admin. Order/Penalty	AFO	Clark	Negotiating before filing.

3/08/99	Augustus & Betty Lartius d/b/a Country Terrace Mobile Home Court	5	Admin. Order/Penalty	WS	Hansen	Hearing set for 6/23/99. 5/99 WS filed motion for continuance. Dept. filed resistance to continuance motion. Hearing set for 7/19-21/99, cancelled. Default judgment entered against facility owners. Motion to set aside default granted by ALJ. Hearing set for 10/18/ & 19/99. Settled. Administrative consent order with penalty agreed upon. 2/10/00 – Admin. Consent Order sent to facility for signatures. 2/29/00 – No response received. 4/5/00 – Dept. requested hearing be rescheduled since no agreement reached on consent order. Consent Order signed 6/26/00. Closed.
3/08/99	Augustus & Betty Lartius d/b/a Country Terrace Mobile Home Court	5	Admin. Order/Penalty	WW	Hansen	Hearing set for 6/23/99. 5/99 WS filed motion for continuance. Dept. filed resistance to continuance motion. Hearing set for 7/19-21/99, cancelled. Default judgment entered against facility owners. Motion to set aside default granted by ALJ. Hearing set for 10/18 & 19/99. Settled. Administrative consent order with penalty and compliance schedule agreed upon. 2/10/00 – Admin. Consent Order sent to facility for signatures. 2/29/00 – No response received. 4/5/00 – Dept. requested hearing be rescheduled since no agreement reached on consent order. Consent order signed 6/26/00. Settled.
3/16/99	Des Moines Independent School District – North High School	5	Site Registry	HC	Tack	Settlement letter sent by solid waste section 12/20/99.
3/18/99	Ag Processing, Inc. (Sergeant Bluff)		Title V Operation Permit Conditions	AQ	Preziosi	Hearing continued. Second settlement meeting held 8/18/99. Hearing procedure on hold pending outcome of task force.
3/23/99	Matthew M. Daly	1	Admin. Order/Penalty	AFO	Clark	Negotiating before filing.
3/23/99	Daniel J. Gotto	1	Admin. Order/Penalty	AFO	Clark	Negotiating before filing.
3/31/99	Woolstock, City of	2	Admin. Order/Penalty	WW	Hansen	Compliance initiated by City. To be set for hearing regarding penalty. 1/28/00 – Compliance status report received from FO 2. 2/7/00 – Letter to City advising appeal be set for hearing. 2/18/00 – Sent to DIA to be set for hearing. 3/00 – Hearing set for 4/26/00. 4/17/00 – Dept. met with City attorney and officials concerning order and penalty. Hearing held 6/14/00.
4/08/99	Iowa Waste Systems	1	Admin. Order/Penalty	SW	Tack	Settlement reached with Fayette Co. Hearing held 4/5/00 for Iowa Waste Systems. Proposed decision received 5/10/00. Penalty amount reduced to \$1,500. Decision was not appealed. Closed.
4/15/99	Robert Simon	1	Admin. Order/Penalty	AQ/SW	Tack	Settled. Paying penalty on payment plan.
4/15/99	Shine Bros. Corp.		SWA Denial	SW	Tack	Settlement offer pending.
4/16/99	Cargill (Sioux City)	3	Title V Operation Permit Conditions	AQ	Preziosi	Hearing procedure on hold pending outcome of task force.
4/26/99	Gerald and Judith Vens	6	Admin. Order/Penalty	FP	Clark	Negotiating before filing.
5/06/99	Hargrave McEleney, Inc.	6	Admin. Order/Penalty	WS	Hansen	Amended order to be issued. 2/2/00 – Dept. to contact WS concerning lead and copper sampling. 3/29/00 – Dept. engineer requested two more rounds of sampling to be conducted by 7/30/00. 5/31/00 – Status report requested from WS section. Per WS section 1 st round, 2000 lead and copper samples taken.
5/18/99	Snap-On-Tools Co.	2	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
5/27/99	CGB Printing aka Rock Communications	5	Admin. Order/Penalty	AQ	Preziosi	Settlement meeting held 1/31/00. 2/04/00 – Evaluating additional information. Meeting set for 7/10/00.
7/19/99	Celotex Corp. (Ft. Dodge)	2	Permit Conditions	AQ	Preziosi	Negotiating before filing.
7/27/99	Affordable Asbestos Removal; Jeffry Intlekofer	6	Admin. Order/Penalty	AQ	Brabec	Hearing held 4/28/00. Judgment for DNR.
8/10/99	Muscatine County Sanitary Landfill	6	Admin. Order/Penalty	SW	Tack	6/20/00 – Violations corrected. Penalty to be negotiated.
8/13/99	Farmland Foods, Inc. (Dubuque)	1	Construction Permit Conditions	AQ	Preziosi	Settlement close.
8/19/99	Case Corporation	6	Admin. Order/Penalty	AQ	Preziosi	Settled. 6/7/00 – Penalty payment of \$1,500 received. Closed.
8/25/99	National By-Products, Inc.	6	Admin. Order/Penalty	AQ	Brabec.	Settled. Awaiting penalty payment.
9/07/99	Shine Bros. Corp.	3	Admin. Order/Penalty	AQ	Brabec	Negotiating before filing.
9/08/99	Linwood Mining & Minerals	6	Permit Conditions	AQ	Preziosi	Negotiating before filing.
9/08/99	Fibre Body	2	Permit Denial	AQ	Preziosi	6/6/00 – Letter sent requesting assurance that all issues have been addressed.
9/10/99	Linwood Mining & Minerals	6	Permit Denial	AQ	Preziosi	Negotiating before filing.
9/13/99	Eugene P. Reed	6	Admin. Order/Penalty	AFO	Clark	Negotiating before filing.
9/13/99	CIPCO	1	NPDES Permit Conditions	WW	Hansen	12/29/99 – Appeal reviewed by wastewater permit writer.
9/13/99	Dave & Theresa Cook d/b/a Curry Environmental Services	6	Admin. Order/Penalty	AQ	Brabec	Consent amendment to rescind penalty portion of order.
9/21/99	Julie Rowe d/b/a Jewel's Food & Spirits	1	Admin. Order/Penalty	WS	Murphy	12/99 – FO and WS tracking compliance.
9/21/99	Farmland Foods, Inc. (Denison))	1	Construction Permit Conditions	AQ	Preziosi	Settlement close.

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9/24/99	Lorene Logue; Willy Holmes; Todd Holmes	5	Admin. Order/Penalty	AQ	Tack	Hearing held 5/26/00. Proposed decision received 6/19/00. Penalty upheld but apportioned between responsible parties.
9/29/99	McGregor, City of	1	Admin. Order/Penalty	WS	Murphy	6/23/00 – Settled. Penalty paid. Closed.
9/30/99	Rollin McAdams d/b/a McAdams Demolition Co. (Davenport)	1	Admin. Order/Penalty	AQ	Brabec	Settled. Awaiting penalty payment.
10/11/99	Kenny Habben	2	Admin. Order/Penalty	AQ	Tack	Settled. Awaiting penalty payment.
10/12/99	Fernald Water System	5	Admin. Order/Penalty	WS	Clark	Settlement letter sent 6/21/00 – payment due 7/24/00.
10/12/99	Brown Bottle Restaurant	1	Admin. Order/Penalty	WS	Hansen	WS submitted preliminary engineering report regarding nitrate reduction. WS to install an ion exchange unit. Still need to submit construction permit applications and a schedule. Report dated 10/29/99 submitted to Dept. Review completed by Dept. WS engineer. Facility engineer to submit construction permit application and schedule. 1/3 and 1/26/00 – Dept. requested iron and sulfate test. When test results are received Dept. will set due date for submittal of P & S. 2/28/00 – Dept. letter requiring iron and sulfate tests and submittal of plans and specifications for nitrate removal system by 3/10/00. 3/21/00 – Dept. engineer received and reviewed plans and specifications. Awaiting iron test results. 5/1/00 – Dept. engineer approved as-builts submitted for nitrate control unit.
10/15/99	Sac County Golf & Country Club	3	Admin. Order/Penalty	WS	Tack	Negotiating before filing.
10/19/99	Tara Hills Country Club	1	Admin. Order/Penalty	WS	Murphy	Hearing set for 8/18/00.
10/22/99	Barilla America, Inc.	5	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment. 6/23/00 – Letter sent regarding nonpayment of penalty.
10/22/99	Robert Fisher	2	Admin. Order/Penalty	AFO	Clark	Negotiating before filing.
10/22/99	Greenwood Hills Estates, L.C. and GK Properties, Inc.	5	Admin. Order/Penalty	WW	Murphy	5/24/00 – Settlement offer.
11/03/99	Cargill, Incorporated (Cedar Rapids)	1	Permit Conditions	AQ	Preziosi	Hearing procedure delayed pending outcome of task force.
11/10/99	Michael L. Roberts	4	Admin. Order/Penalty	AQ	Tack	Settlement offer sent 3/22/00.
11/12/99	Osceola, City of	5	Admin. Order/Penalty	WW	Hansen	1/4/00 – FO 5 letter to City requesting complete plan of action by 5/15/00. 5/31/00 – Status report on plan of action submittal requested by FO. 6/28/00 – Sent to DIA to be set for hearing.
11/12/99	Logan, City of	4	Admin. Order	WW	Hansen	City requested new schedule because of additional time needed for condemnation proceedings due to change in statute. 2/22/00 – Dept. requested attorney and engineer submit revised schedule if needed in view of delays in condemnation. 2/28/00 – City submitted amended appeal with revised schedule.
11/12/99	Cargill, Incorporated (Iowa Falls)	2	Title V Operation Permit Conditions	AQ	Preziosi	Hearing procedure delayed pending outcome of task force.
11/15/99	Industrial Energy Applications	1	Permit Denial	AQ	Preziosi	Negotiating before filing.
11/15/99	Rocky Knoll Mobile Home Park	2	Admin. Order/Penalty	WS	Tack	Negotiating before filing.
11/19/99	Climax Molybdenum Co.	6	Permit Denial	AQ	Preziosi	Negotiating before filing.
12/01/99 12/08/99	Iowa Select Farms, L.P./AG Waste Consultants, Inc.	2	Admin. Order/Penalty	AFO	Clark	Negotiating before filing.
12/08/99	Cargill, Incorporated (Sioux City)	3	Permit Conditions	AQ	Preziosi	Negotiating before filing.
12/08/99	Oakview Construction	5	Admin. Order/Penalty	AQ/SW	Tack	Settlement offer sent 5/18/00.
12/10/99	Leonard Rayhons; Randy Schleusner	2	Admin. Order/Penalty	AFO	Clark	Negotiating before filing.
12/13/99	Omaha Cold Storage Terminals	2	Admin. Order/Penalty	WW	Murphy	Hearing rescheduled for 8/04/00.
12/17/99	Edward Degeus	2	Admin. Order/Penalty	AQ	Brabec	Negotiating before filing.
1/04/00	Aaron Berry	4	Admin. Order/Penalty	AQ/SW	Tack	Settlement offer sent 3/22/00.
1/06/00	Wendall Abkes	2	Admin. Order/Penalty	AQ/SW	Tack	Settlement offer sent 2/22/00.
1/07/00	Ft. Dodge, City of	2	Admin. Order/Penalty	WS	Murphy	5/26/00 – Settlement offer.
1/11/00	Farmland Industries	2	Permit Denial	AQ	Preziosi	Negotiating before filing.
1/13/00	Mark Shipman	2	Admin. Order/Penalty	AFO	Murphy	5/26/00 – Letter regarding informal settlement.
1/13/00	Pine Creek Golf Course	2	Admin. Order/Penalty	WS	Hansen	4/26/00 – Letter to WS concerning required monitoring and public notice. 6/26/00 – Second quarter bacteria sample collected.
1/20/00	New Virginia	5	Admin. Order	WW	Murphy	Negotiating before filing.

	Sanitary Sewer District					
1/20/00	Solar Transport Co.	2	Admin. Order/Penalty	UT	Wornson	6/29/00 – Settled. Penalty paid. Closed.
1/21/00	Dave Thompson	2	Admin. Order/Penalty	SW	Tack	Hearing held 5/31/00.
1/25/00	Bonaparte, City of	6	Admin. Order/Penalty	AQ/SW	Tack	Cleanup completed. Settlement offer sent 6/29/00.
1/25/00	Tire Environmental Services, Inc.	1	Permit Conditions	SW	Tack	Settlement discussions held 6/20/00. Proposal to be made by permit applicant.
2/07/00	Benefit Water District #2	5	Admin. Order/Penalty	WS	Murphy	Negotiating before filing.
2/10/00	Holland Contracting Corp.	2	Admin. Order/Penalty	AQ	Brabec	Settled. Penalty plan established. Payments are on schedule.
2/11/00	Steven Reimers	3	Admin. Order/Penalty	AQ/SW	Brabec	Settled. Penalty plan established. Payments are on schedule.
2/22/00	MINSA Corporation	4	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
2/25/00	Meadow Knolls Addition	1	Admin. Order/Penalty	WS	Tack	Negotiating before filing.
2/28/00	Bee Rite Tire Disposal Inc.; Jerry Yeomans	5	Admin. Order/Penalty	SW	Tack	Settlement offer made 4/13/00. Response due by 6/30/00.
3/02/00	Dennis Severson d/b/a Huxley Dry Cleaners	5	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
3/21/00	Bruening Rock Products, Inc.	1	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
4/05/00	Ainsworth, City of	6	Admin. Order/Penalty	WW	Murphy	Engineering report due 6/4/00.
4/05/00	Minnesota Rubber	2	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
4/11/00	Hawkeye Leisure Trailers	2	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
4/11/00	Kirk Latta	1	Admin. Order/Penalty	WS	Wornson	Settlement reached. Awaiting formal finalization.
4/14/00	Stateline Cooperative	2	Admin. Order	HC	Wornson	Compliance initiated.
4/17/00	Delaware Co. Conservation Board	1	Admin. Order/Penalty	WS	Murphy	Negotiating before filing..
4/21/00	LT Tap	1	Admin. Order/Penalty	WS	Clark	Negotiating before filing.
4/21/00	ALMACO	5	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
4/24/00	Tama Paperboard	5	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
4/24/00	Carroll, City of	4	Permit Conditions	WW	Hansen	Negotiating before filing.
4/26/00	State Wide Metal Recycling, Inc.; Fred Bovee	5	Admin. Order/Penalty	SW/HC	Tack	New case.
4/28/00	IBP, Inc.	6	Admin. Order/Penalty	SW	Tack	New case.
5/02/00	John Morrell & Co. d/b/a Curly's Foods	3	Admin. Order/Penalty	AQ	Brabec	Settled. Penalty payment received 6/22/00. Closed.
5/04/00	Iowa State University Heating Plant	5	Admin. Order/Penalty	AQ	Preziosi	New case.
5/10/00	3M Company	5	Admin. Order/Penalty	AQ	Preziosi	New case.
5/10/00	Shelby's	1	Admin. Order/Penalty	WS	Tack	Settlement offer made 6/16/00.
5/10/00	Rita Holtkamp	6	Certification Denial	WW	Wornson	Informal settlement initiated.
5/11/00	John Deere Waterloo Works – DSS	1	Admin. Order/Penalty	AQ	Brabec	Negotiations scheduled for 6/28/00.
5/12/00	Martin Marietta Materials, Inc.	1	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
5/12/00	Iowa Air National Guard 185 th Fighter Wing	3	Admin. Order/Penalty	AQ	Brabec	Negotiating before filing.
5/16/00	Kenny Kettwig d/b/a North Iowa Pumping	2	Admin. Order/Penalty	AFO	Murphy	5/30/00 – Settlement offer. 6/12/00 – Penalty settlement received. Closed.
5/16/00	Heinz USA	6	Admin. Order/Penalty	AQ	Brabec	Settled. Awaiting signed consent amendment and penalty payment.
5/19/00	Jet Company	2	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
5/24/00	Dan and Kelley Claar d/b/a Claar Construction	4	Admin. Order/Penalty	AQ/SW	Tack	Settlement offer made 6/7/00.
6/01/00	Pro Cooperative	3	Admin. Order/Penalty	WW	Murphy	New case. Fish restitution and penalty paid 6/2/00.

6/05/00	Burlington Northern Santa Fe Railroad	6	Admin. Order/Penalty	AQ	Brabec	New case.
6/06/00	Top of Iowa Cooperative	2	Admin. Order/Penalty	AQ	Preziosi	New case.
6/06/00	Alliant Energy	5	Admin. Order/Penalty	AQ	Preziosi	New case.
6/08/00	Leo Pieper	4	Admin. Order/Penalty	AFO	Clark	New case.
6/08/00	Ajinomoto	6	Admin. Order/Penalty	AQ	Preziosi	New case.
6/09/00	Alta Vista Property Owners Assoc.	5	Admin. Order/Penalty	WS	Clark	New case.
6/13/00	Hagie Manufacturing Co.	2	Admin. Order/Penalty	AQ	Preziosi	New case.
6/14/00	Bettendorf, City of	6	Admin. Order/Penalty	WW	Hansen	New case.
6/14/00	Quality Mat Co., Inc.	1	Admin. Order/Penalty	AQ	Brabec	New case.
6/16/00	Millersburg, City of	6	Admin. Order/Penalty	WS	Tack	New case.
6/27/00	GOMACO	3	Admin. Order/Penalty	UT	Brabec	New case.

INFORMATIONAL ONLY

Mike Valde stated that he had received a letter from the agricultural commodity groups, regarding the report on manure releases that has been supplied to the board for the last several months. He stated that the municipal releases are not in that same database and therefore are not included in the report. The associations that wrote the letter felt that this practice unfairly targeted the agriculture industry.

Mike Murphy explained that municipal bypasses are reported in a number of manners. In some cases they have to be reported immediately to field offices, in other cases they are reported on the monthly operation reports. Mr. Murphy stated that if someone had complained, perhaps it would be best to discontinue the report for the manure spills. He stated that they had not had the time to look into the ramifications of adding the municipal releases to the current database.

Mike Valde asked the Commission if they wanted to continue to receive the manure reports. He stated that they had originally decided to include the manure reports because the Department now had the ability to provide this information and that it was not an attempt to target any one in particular.

The Commission agreed that the information was important and would like to see it expanded to include municipalities.

James Braun asked if page numbers could be added to the reports for reference purposes.

Discussion followed regarding some of the individual reports.

James Braun asked about the number of open feed lot violations in the reports.

Mike Murphy stated that we are in fact about a year behind on the enforcement actions relating to feedlot violations, but generally when you see a sharp rise in these violations it is due to excessive rainfall.

Interim Director Lyle Asell stated that EPA Nationwide has expressed concern about open feed lots. Last fall they sent people out to look at a small sample of feedlots across the country. They found some issues that increased their concern, therefore they are expanding the program. There were also concerns about the confined animal feeding strategy and plan, currently discharge is allowed under the 24 hour/25 year storm rule. The EPA is looking at lowering this, which would have the effect of having to store more. Mr. Asell stated that another of their concerns was with the NPDS permit requirements of over one thousand animal units.

Terrance Townsend stated that when EPA visits industries they come unannounced, he asked if they will be doing the same in this instance.

Lyle Asell stated that they probably would be. He added that the DNR is currently working with the Cattleman's Association, but we do not know what is going to be in the AFO/CAFO rules so it makes it extremely difficult to provide guidance to the cattle industry.

Further discussion followed regarding individual reports.

PUBLIC PARTICIPATION

Chairman Townsend announced public participation at 11:00 a.m.; no one present requested to speak.

ADOPTED AND FILED EMERGENCY WITH NOTICE OF INTENDED ACTION – CHAPTER 64, WASTEWATER CONSTRUCTION AND OPERATION PERMITS

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

Commission approval is requested for revisions to Chapter 64 of the Commission's rules. Chapter 64 provides for the administration of wastewater construction and operation permits including general permits and the fee structure for general permits

The purpose of this rulemaking is to implement a provision of SF 2430 for a pilot project to provide refunds of permit fees if the department fails to issue a stormwater general permit within a period of time customary for issuing such permits.

The commission is being asked to adopt these rules without public notice and participation and to implement the rules immediately upon publication in the IAB. Adoption of the rule will have no impact on permittees other than to bestow the benefit of a permit fee refund. This action will allow this pilot project to be operative during most of the fiscal year. A Notice of Intended Action is also included for simultaneous publication to allow input and a means of amendment if appropriate.

ENVIRONMENTAL PROTECTION COMMISSION [567]
Notice of Intended Action

Pursuant to the authority of Iowa Code section 455B.103A, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 64, "Wastewater Construction and Operation Permits", Iowa Administrative Code.

This amendment establishes the pilot project authorized by 2000 Iowa Acts, Senate File 2430, section 18. This legislation authorizes the Department to establish a pilot project to refund fees paid to the Department for issuance of authorizations to discharge storm water under general permits if the authorization is not sent to the applicant within a time period customary for such authorizations.

Any interested person may make written suggestions or comments on the proposed rules on or before September 1, 2000. Written comments should be directed to Storm Water Coordinator, Iowa Department of Natural Resources, Wallace State Office Building, 502 E. 9th St., Des Moines, Iowa 50319-0034; fax (515)281-8895.

Also, there will be a public hearing on September 1, 2000, at 1:30 p.m. in the Fifth Floor Conference Room of the Wallace State Office Building at which time people may present their views either orally or in writing. At the hearing, people will be asked to give their names and addresses for the record and to confine their remarks to the subject of the rule.

Any people who intend to attend a public hearing and have special requirements such as hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

This amendment was also Adopted and Filed Emergency and is published herein as ARC _____. The content of that submission is incorporated by reference. This amendment is intended to implement Iowa Code chapter 455B, division I.

ENVIRONMENTAL PROTECTION COMMISSION [567]
Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 455B.103A, the Environmental Protection Commission hereby adopts amendments to Chapter 64, "Wastewater Construction and Operation Permits," Iowa Administrative Code.

This amendment establishes the pilot project authorized by 2000 Iowa Acts, Senate File 2430, section 18. This legislation authorizes the Department to establish a pilot project to refund fees paid to the Department for issuance of authorizations to discharge storm water under general permits if the authorization is not sent to the applicant within a time period customary for such authorizations.

The Department finds, pursuant to Iowa Code section 17A.4(2) that notice and public participation are impracticable because of the immediate need to implement the rule and the benefit conferred by the rule.

The Department also finds, pursuant to Iowa Code section 17A.5(5)"b"(2), that the normal effective dates of the rule should be waived and the rules should be made effective upon filing with the Administrative Rules Coordinator on July 21, 2000 as it confers a benefit

to all members of the public experience service not meeting the standard established by the rule.

This amendment is intended to implement Iowa Code chapter 455B, division I.

Amend rule 567--64.16(455B) by adding the following new subrule:

64.16(4) Fee refunds for stormwater general permit coverage – Pilot Project

- a. If, upon submittal of a complete Notice of Intent to discharge under a storm water general permit as required in 64.6(1), an applicant is not sent a written notice of general permit coverage by the Department within 30 days of receipt by the Department of a correctly completed Notice of Intent, the permit fee paid by the applicant shall be refunded to the applicant. The Department shall determine if the criteria for submitting a correctly completed Notice of Intent have been met and shall notify an applicant within 30 days of receipt regarding deficiencies of the Notice of Intent. Fees for the renewal of prior authorizations under storm water general permits shall be refunded in the same manner and using the same criteria as for initial applications.
- b. The decision of the Department not to issue a refund under this subrule is final and not subject to further agency review.
- c. This subrule expires June 30, 2001.

Date

Lyle W. Asell, Interim Director

Mike Valde explained the rule and its origin. He stated that the Department of Management would like this filed as an emergency rule. Mr. Valde informed the Commission that the Secretary of State's office and the Department of Transportation are two other agencies that are doing pilot projects on refunding fees for not processing permits in a timely manner.

Discussion followed regarding what the customary time was and who was responsible for setting it, about how many it would effect, and whether it was being planned to extend this refund policy to all permit fees.

Interim Director Lyle Asell stated that the Governors office was trying to demonstrate a responsive government, so he asked all agencies to try this pilot program in some form or another. He added that the Storm water discharge permit for construction activities was currently required if someone plans to disturb 5 or more acres, however the EPA has required us to adopt it down to 1 acre within a certain timeframe, therefore we can expect to see a dramatic increase in these permits.

Discussion followed about the cost of the permits.

Motion was made by Rozanne King to approve the Wastewater Construction and Operation Permits Emergency Rule and Notice of Intended Action. Seconded by Kathryn Murphy. Motion carried unanimously.

APPROVED AS PRESENTED

PROPOSED CONTESTED CASE DECISION – AFFORDABLE ASBESTOS REMOVAL, INC.

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

On June 25, 1999, the department issued Administrative Order No. 1999-AQ-15 to Affordable Asbestos Removal, Inc. The Order required compliance with asbestos NESHAPS rules and assessed a \$10,000 penalty. Affordable Asbestos appealed the Order, and the matter proceeded to administrative hearing on April 28, 2000. The Administrative Law Judge issued the attached Proposed Decision on June 2, 2000. The decision affirms the Order, with the exception of reducing the penalty to \$6,100.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mike Murphy stated that we do have an appeal in this case so it will be coming to the Commission at a future date. Therefore no action is needed.

PROPOSED CONTESTED CASE DECISION – LORENE LOGUE AND TOD HOLMES

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

On September 14, 1999, the department issued Administrative Order No. 1999-AQ-33 to Lorene Logue and Todd Holmes. The Order required compliance with open burning rules and assessed a \$4,500 penalty. The parties appealed the Order, and the matter proceeded to administrative hearing on May 26, 2000. The Administrative Law Judge issued the attached Proposed Decision on June 19, 2000. The decision affirms the Order, with the exception of allocating the penalty between the parties.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mike Murphy stated that we have not yet received an appeal but still may. He informed the board that this was the Commissions opportunity to be made aware of the decision and, if they choose to, review it on their own their own motion. He stated that the judgement was affirmed but that the penalty was allocated between two of the parties.

The Commission chose to take no action; this has the effect of upholding ALJ decision in the absence of an appeal.

ALJ DECISION UPHELD

PETITION FOR RULE MAKING – IOWA COUNTY ENGINEER’S ASSOCIATION CH. 23.3(2)(C)

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Commission is requested to approve the Proposed Denial of Petition, for the reasons stated therein. A copy of the Petition for Rulemaking, and attachments, are also included.

IOWA DEPARTMENT OF NATURAL RESOURCES

<p>IN THE MATTER OF:</p> <p>Petition for Rulemaking regarding 567 Iowa Administrative Code 23.3(2)(c)</p>	<p>DENIAL OF PETITION FOR RULEMAKING</p>
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TO: Robert L. Haylock
Butler County Engineer's Office
P.O. Box 305
Allison, Iowa 50602

I. SUMMARY

On March 7, 2000, Robert L. Haylock, Butler County Engineer, filed with the Iowa Department of Natural Resources (DNR), on behalf of the Iowa County Engineer's Association, a Petition for Rulemaking proposing to revise the language of 567 Iowa Administrative Code 23.3(2)(c)(1). DNR hereby denies the Petition for Rulemaking, for the following reasons:

(1) Petitioner has requested that the term "farming operations" used in the first paragraph of the rule be changed to "agricultural operations." Petitioner has proposed a definition for "agricultural operations." DNR will not make this change for the following reasons. The term

"agricultural operations" could be interpreted more broadly than activities commonly associated with agricultural production. The term "farming" is defined and used throughout the Iowa Code. See Iowa Code section 9H.1. Therefore, DNR will not use a term which may expand the current rule.

(2) Petitioner has proposed a definition for the term "ordinary travel on unpaved public roads" used in the rule and has also proposed to place in the rule examples of operations that would not be defined as ordinary travel. The definition and examples proposed by Petitioner do not appear to clarify what should be regarded as "ordinary travel." Also, the proposed language would require DNR field officers to spend a considerable amount of time determining traffic volume.

According to Iowa Code section 455B.133(2), the Environmental Protection Commission shall adopt rules pertaining to the evaluation, abatement, control and prevention of air pollution. Rule 23.3(2)(c)(1) provides that no person shall allow, cause or permit activities without taking reasonable precautions to prevent particulate matter in quantities sufficient to create a nuisance, as defined by Iowa Code section 657.1, from becoming airborne. Iowa Code section 657.1 defines a nuisance as "whatever is injurious to health, indecent, or unreasonably offensive to the senses, or an obstruction of the free use of property, so as essentially to unreasonably interfere with the comfortable enjoyment of life or property." Airborne particulate matter in amounts sufficient enough to create a nuisance situation is a potential health hazard, and could contribute in specific area a to violation of the National Ambient Air Quality Standard for PM-10 (particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by an EPA-approved reference method). Once DNR has been made aware of a potential nuisance condition according to the provisions of rule 23.3(2)(c)(1), DNR must investigate.

However, since DNR is not the appropriate authority to determine which roads should be paved or to determine zoning issues which affect changes in the frequency of the use of unpaved public roads, it appears appropriate to simply remove the phrase "or dust generated by ordinary travel on unpaved public roads" from rule 23.3(2)(c)(1). This phrase causes confusion between the roles of DNR and public highway authorities. According to language already in the rule, it is the responsibility of the petitioner and other public highway authorities to take corrective action once complaints are received or those parties have actual knowledge of dust conditions requiring abatement. The specific relationship between Petitioner and DNR in dealing with fugitive dust in relation to travel on unpaved public roads is already set out in the rule, which states that: "The public highway authority shall be responsible for taking corrective action in those cases where said authority has received complaints of or has actual knowledge of dust conditions which require abatement pursuant to this subrule."

Finally, DNR recognizes that proper maintenance of unpaved public roads assists in preventing the generation of fugitive dust from those roads. Petitioner has suggested that certain road maintenance activities be exempted from consideration as a nuisance. Therefore, DNR proposes to initiate a rulemaking to allow such an exemption. That rulemaking, which also shall

propose to eliminate language from the rule as stated above, shall be filed simultaneously with this Denial of Petition for Rulemaking.

(3) Petitioner has requested that the language "beyond the lot line of the property on which emissions originate" be eliminated from the rule. This rule is applicable to ambient air quality issues generally, including violations of the National Ambient Air Quality Standard for PM-10. In that context, deleting this language from the rule would make enforcement of the rule difficult. Therefore, DNR will not delete this language from the rule.

LYLE W. ASELL, INTERIM DIRECTOR
Iowa Department of Natural Resources

Dated this _____ day of
_____, 2000.

(Copy of the original Petition for Rulemaking is on file in the Department's Records Center.)

Mike Murphy clarified the title of the petition stating that it involved all counties. He explained the specifics and stated that they are proposing to deny the request, however he would like to go forward with the rule making process to delete the phrase "ordinary travel on unpaved public roads" from subrule 23.3(2)(c)(1). He explained that the phrase causes the DNR and the regulated public, problems of interpretation as to what ordinary travel is and is not. Mike Murphy distributed a copy of the rule with the changes made to the members of the Commission. He stated that the other change that they propose is to add road maintenance activities as an exception.

Brief discussion followed.

Rozanne King requested that comments from the County Boards of Supervisors be solicited.

Mr. Murphy indicated that special efforts would be made to inform and obtain input from interest groups.

Motion was made by Gary Priebe to approve the denial of the petition and to commence the rule making process. Seconded by Rozanne King. Motion carried unanimously

APPROVED AS PRESENTED

APPROVAL OF ENFORCEMENT ACTION – BOOMSMA'S, INC.

The Commission is requested to approve an enforcement action relating to an animal feeding operation. Iowa Code section 455B.110(3) provides that we may not initiate an enforcement action relating to animal feeding operations, seeking a penalty in excess of \$3,000.00 unless the Environmental Protection Commission has approved the intended action. A proposed Consent Administrative Order relating to a discharge of poultry manure, has been provided to the

Commission. This document explains the background of this matter. The Director and the parties have agreed to resolve this matter through a Consent Administrative Order including a penalty of \$6,000.

Mike Murphy explained that the Commission is required to approve any penalty relating to feedlots in excess of \$3000.00.

Brief discussion followed.

Motion was made by Rozanne King to approve the enforcement action for Boomsma's, Inc. Seconded by Kathryn Murphy. Motion carried unanimously.

APPROVED AS PRESENTED

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. Gary Frana (Winnebago County) – AFO penalty collection and fish restitution.
- b. Albert Fleming (Clayton County) – flood plain penalty collection.
- c. Organic Technologies, Tim Danley and Ken Renfrow (Warren County) – solid waste penalty collection.
- d. Dennis Sharkey, Sr. (Dubuque) – solid waste penalty collection.

Mike Murphy stated that these were cases that received orders with penalties. The first two cases did not appeal but have not paid. The second two cases appealed but lost and have not paid. The request is being made to refer to Attorney General to collect the penalties.

Motion was made by Rozanne King to refer the listed cases to the Attorney General. Seconded by James Braun.

Discussion followed regarding the specific cases.

<i>Motion carried unanimously</i>

REFERRED

GENERAL DISCUSSION

James Braun distributed material that he had printed out from the World Wide Web regarding water testing. He stated that he became interested in the problem with what he had read in the paper regarding Backbone being closed and Beeds Lake being on the verge of being closed, and that he had been able to find all of the test results on the Web. He stated that he had visited with Bernie Hoyer, supervisor of the water testing project, over the phone and wanted to know if the Commission would be interested in Mr. Hoyer to explain the different aspects of what he thinks is going on. Mr. Braun expressed concerns about the effects the postings at the lakes could have on tourism.

Director Asell stated that DNR had expanded testing throughout Backbone Lake as well as upstream to try to identify the source, and there was no clear-cut pattern so they were unable to locate a source.

Discussion followed regarding the location of the lake.

Rozanne King stated that she would be interested in getting further information about the causes of increases in bacteria.

Terrance Townsend stated that the August meeting would not work well but would welcome Mr. Hoyer at the September meeting and asked James Braun to set it up.

Brief discussion followed regarding Clear Lake and the causes of its prior contamination.

NEXT MEETING DATES

Elizabeth Christiansen addressed the Commission about the possible tours she would be able to arrange. It was decided that the tour would be held on Monday, the Commission expressed interest in touring and the Kirkwood Community College on-farm composting facility and would like to set up to have Blue Stem dialogue during the meeting on Tuesday August 22, 2000. The Commission decided to meet on Monday at 1:00 for the tour.

Elizabeth Christiansen added that they had just completed an events recycling project that DNR helped to fund for the Freedom Fest which is a 10 day event that draws well over 100,000 people. They were quite successful both in diverting material from the landfill and in keeping the grounds clean. She stated that she would try to get some information to the Commission about this project. She added that this project could possibly be used during the Iowa State Fair.

GENERAL DISCUSSION CONTINUED

Discussion followed regarding Blue Stem's withdrawal of their application due to FAA regulations.

Gary Priebe stated that he believed that we need to seriously consider burning of waste and using it for energy production.

Elizabeth Christiansen stated that the national trend is down for burning due to the cost.

Brief discussion about the reason for the additional waste.

James Braun asked what was happening in Minnesota that allows them to dump in Iowa

Elizabeth Christiansen stated that Minnesota issued a draft policy report last summer, which recommended some drastic measures to stem landfill. In January 2000 they finalized the report and made their recommendation to ban the landfill of unprocessed waste by 2008. She stated that she felt it was very important to keep an open dialogue with our surrounding states. She said that interstate hauling of garbage by private companies and disposal of garbage is protected, therefore at State level we are unable to limit the amount of garbage that comes into our state. She stated that approximately 98% of the waste that is dumped at the Lake Mills Facility in Northern Iowa comes from Minnesota.

Jim Braun asked what the difference was in the tipping fees.

Elizabeth Christiansen stated that in some cases Minnesota tipping fees could be as much as double the amount of ours.

Rozanne King asked for an update on Harcourt.

Mike Murphy stated that Harcourt is a small unsewered community in north central Iowa that has problems with their septic tanks. They were proposing to install a central sewer and lagoon system. We had granted a variance for the first site for being too close to a residence. This variance was appealed and the Commission overturned it and a new site was chosen. The new site eventually met all of the standards so a construction permit was issued in May. The city has now started construction, which has heightened the public contention.

Brief discussion followed.

James Braun asked how many of communities still need to be upgraded.

Mike Valde stated that there are approximately 400.

Interim Director Lyle Asell stated that it was an issue that we were starting to look into, during this last legislative session with the septic tank component of the water initiative. He stated that the DNR had wanted to include small unsewered communities in that initiative but was unsuccessful. He stated that it was still a major concern because in addition to the unsewered

communities there are also some 200 unwatered communities, which means their wells and their septic tanks are on the same lot.

James Braun asked if there was new construction in these communities.

Lyle stated there may be a few but not many.

ADJOURNMENT

With no further business to come before the Environmental Protection Commission, Chairman Townsend adjourned the meeting at 1:00 p.m., Monday, July 17, 2000.

Lyle W. Asell, Interim Director

Terrance Townsend, Chair

Rita Venner, Secretary

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